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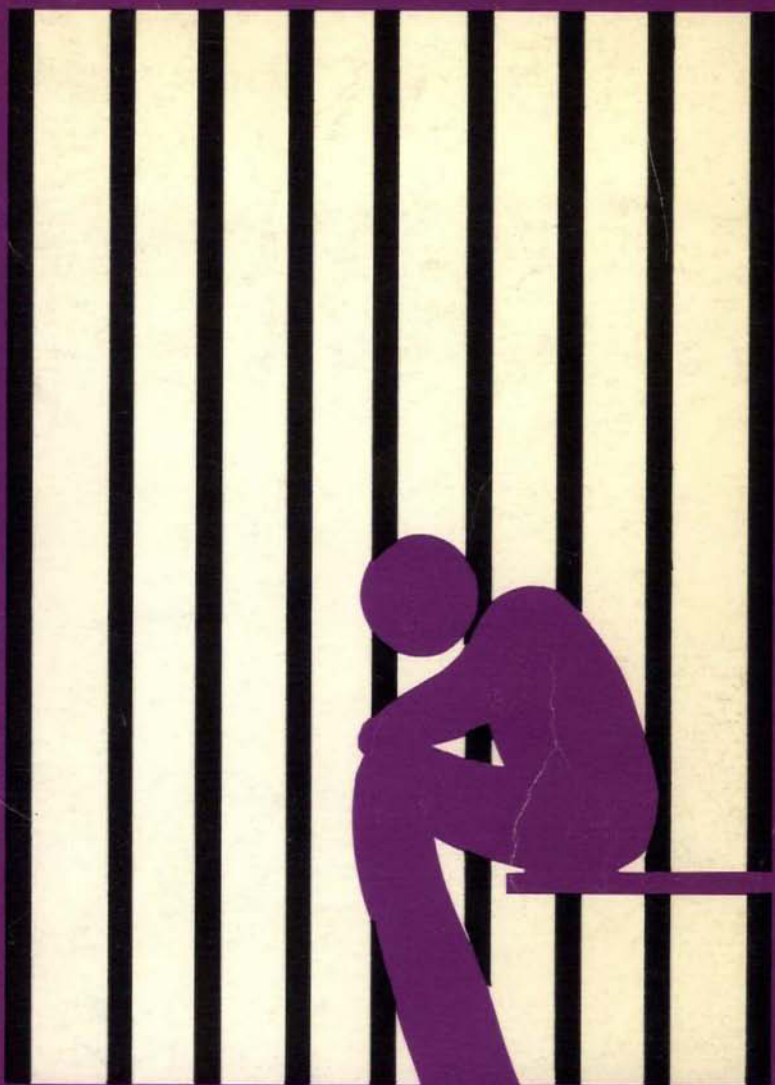
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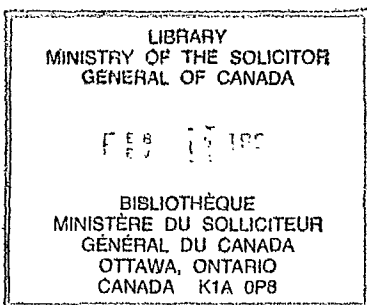
Annual Report
of the
Correctional
Investigator
1973-1974



Canada

Annual Report
of the
CORRECTIONAL
INVESTIGATOR

1973-74



©
Information Canada
Ottawa, 1974
JA1-1974


2 July, 1974

The Honourable Warren Allmand,
Solicitor General of Canada,
340 Laurier Ave., West,
Ottawa, Ontario.

Dear Sir:

As Correctional Investigator, appointed to investigate and report upon complaints and problems of inmates in Canadian penitentiaries, I have the honour to submit, respectfully, the attached report.

Sincerely yours,

A handwritten signature in cursive script that reads "Inger Hansen". The signature is written in black ink and is positioned above the typed name and title.

Inger Hansen, Q.C.,
Correctional Investigator.

P.O. Box 950,
Station "B",
Ottawa, K1P 5R1

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Inger Hansen
Correctional Investigator

(Courtesy of The Citizen)

APPOINTMENT AND TERMS OF REFERENCE

The Correctional Investigator was appointed by the Solicitor General on June 1, 1973, pursuant to Order in Council No. 1973-1431 (Appendices A and B).

The powers of the Correctional Investigator are those of a Commissioner under Part II of the *Inquiries Act* and, in particular, the appointment states that the Correctional Investigator may

investigate, on her own initiative or on complaint from or on behalf of inmates as defined in the Penitentiary Act, and report upon problems of inmates that come within the responsibility of the Solicitor General, other than problems raised on complaint

(a) concerning any subject matter or condition that ceased to exist or to be the subject of complaint more than one year before the lodging of the complaint with the Commissioner,¹ or

(b) where the person complaining has not, in the opinion of the Commissioner, taken all reasonable steps to exhaust available legal or administrative remedies,

and the Commissioner need not investigate if

(c) the subject matter of a complaint has previously been investigated or,

(d) in the opinion of the Commissioner, a person complaining has no valid interest in the matter.

On 30th August, 1973, the Commissioner of Penitentiaries² issued a directive which quoted the terms of reference of

(1) i.e., the Correctional Investigator

(2) hereinafter referred to as the Commissioner

the Correctional Investigator and included the following directions:

(a) The Federal Correctional Investigator has the right of access, without limitation, to inmates in all Canadian penitentiaries. The Correctional Investigator will make regular announced visits to all institutions. These visits shall be publicized to the inmates upon receipt of notice of an intended visit from the Federal Correctional Investigator, and private interviews shall be arranged with inmates who wish to meet with the Correctional Investigator, or when the Correctional Investigator wishes to interview them.

(b) The Federal Correctional Investigator shall also be permitted to visit penitentiaries unannounced, and at irregular times. The full co-operation of institutional directors and staff shall be provided to the Correctional Investigator in carrying out the investigations authorized under the *Inquiries Act*.

(c) Inmate correspondence addressed to and from the Federal Correctional Investigator shall be forwarded unopened from the institution and delivered to the inmates unopened.

COMMENTS

The establishment of the office of the Correctional Investigator was not by special legislation, but under the *Inquiries Act*. I believe this approach was used to provide an opportunity to assess the terms of reference and to allow the government to evaluate the effectiveness of the office before it became encased in rigid legislation. I think the experiment was useful.

Some critics have commented that "the new prison watchdog" is "toothless", because the incumbent has to report and recommend to the Solicitor General and not to Parliament. No one, I think, will argue that the duties of the Correctional Investigator should continue to be performed indefinitely

under the *Inquiries Act*. However, I trust that the work done during the past year will be of assistance in formulating future policies for dealing with inmate complaints.

A pamphlet, *Facts about the Correctional Investigator*, was published and distributed under the authority of the Solicitor General of Canada. It explains in very general terms, how a complaint is made, who may make it, and how the Correctional Investigator proposed to investigate complaints. It was drafted during the first month of operation and may need revision.

When the appointment was announced, it was suggested that the office would be flooded with complaints, and that many would be frivolous. In June, 1973 I had estimated I would receive between 300 and 400 complaints. A total of 595 complainants contacted us during the year. None of their complaints, in my opinion, was frivolous.

A few inmates may not have known of the existence of the office, others no doubt think that the office is just another buffer for the administration.

I believe that those who used the office of the Correctional Investigator treated it seriously. However, I also believe that some frustration was experienced because of my insistence that the administration be "given a chance". I made a particular effort to explain that I was not trying to give inmates the "run-around". I have no way of knowing how many believed me. "An 'ombudsman'," complainants were told, "is not a substitute for the administration. If I attempt to interfere in the first instance, or try to substitute my discretion for that of the administration, the 'ombuds'-function will fail because it will itself become another, parallel bureaucracy." It seemed unnecessary to add that it would also be an insurmountable task. I should add that I was treated with great courtesy by the inmates and many thank-you notes appeared in our mail. This is remarkable because an eight cent stamp represents about an hour's wage at the current rate of inmate pay.

During the past year have listened to, argued with and learned from the inmates, their friends and families. The individual inmates who use our service may not necessarily

be representative of the persons incarcerated in Canadian penitentiaries. The services of the Office of the Correctional Investigator were never imposed on anyone. The question of my being female was frequently the subject of comment by the media and others on "the outside", but I do not recall it having been raised by more than one complainant. This again, of course, might have been because I only saw those who wanted to see me.

I asked the inmates to understand that I could neither be a miracle worker nor a fanatic crusader, but that I hoped through a rational and persuasive approach to assist in ameliorating or rectifying unreasonable situations and to try to bring to light cases of administrative error, oversight or bad faith.

In some cases, I was unable to assist. I explained that I hoped the general comments and recommendations in this report might lead to further consideration of the problems by the Canadian Penitentiary Service and Parliament.

OMBUDSMEN'S MEETING

With the financial assistance of the Ministry of the Solicitor General, a conference of Canada's provincial ombudsmen was arranged in Ottawa on the 2nd, 3rd, and 4th of May, 1974. The conference was attended by:

The Very Reverend Dr. Randall Eugene Ivany,
Province of Alberta;

Mr. G.W. Maltby, Province of Manitoba;

Mr. G.A. McAllister, Q.C., Province of New
Brunswick;

Dr. Harry D. Smith, Province of Nova Scotia;

Monsieur Louis Marceau, Q.C., Province of
Quebec;

Mr. E.C. Boychuk, Province of Saskatchewan;

and their assistants. A representative from the Office of the Commissioner of Official Languages was also present. Professor D. Rowat of Carleton University, a well-known writer on the ombudsman question, attended some of the sessions. I was encouraged to find that the experiences and the problems of the other ombudsmen were similar to mine, in spite of the difference in clients.

A forum for the exchange of ideas and discussion of mutual problems was established. It was decided that the ombudsmen in Canada should meet annually; the ombudsman of Nova Scotia will be host to the 1975 meeting.

STAFF AND OFFICE

The persons employed in our office are Mr. D.C. Turnbull, Administrative Assistant; Mrs. J. Longo, Secretary; Mlle. L. St.Amour, Typist, and Mlle. M.Labonté, a part-time Bilingual Assistant.

Thanks to the competence of the staff, the office has functioned efficiently and smoothly and I am most grateful for the enthusiastic support given by them. Without this support my task would have been next to impossible.

After six months of operation it became apparent that the Correctional Investigator could not do all the interviews and also do the investigations necessary to handle the complaints. For the month of May, 1974, Mr. J. Couillard was employed on contract to assist in interviews. Mr. Couillard was instrumental in dealing with a large backlog of cases. On May 24th, 1974, Treasury Board authority was received for the employment of three complaint officers.

The salaries of the staff and the Correctional Investigator have been provided by a separate budget, but all other necessary expenses were provided out of the general budget of the Ministry of the Solicitor General. We have never been denied supplies or funds when requests have been made.

A post office box is used to ensure the confidentiality of inmate correspondence and to indicate that the Office of the Correctional Investigator is a separate entity, independent of the Ministry of the Solicitor General. Our offices are entirely apart from those of the Ministry of the Solicitor General.

PROCEDURES

My duties began on the 18th of June, 1973, and shortly after, I started a regular program of announced visits to Canadian penitentiaries.

During the first visit to each penitentiary, I arranged to meet with the director and his senior staff, as well as representatives of correctional officers and with inmate committees. I explained the purpose of the appointment of a Correctional Investigator and described how I intended to operate. A lively discussion usually followed. During the year I maintained contact with these groups.

Some complaints are made orally, but most are received in writing. They come from inmates, their families or friends and interested organizations. As mentioned, the Commissioner issued a directive which provides that correspondence between inmates and the Correctional Investigator is not subject to any form of censorship or examination by penitentiary staff. In spite of the directive, difficulties were encountered, particularly in the beginning, but I am reasonably confident that penitentiary staff are now aware of the privileged nature of the correspondence with this office.

We have tried to acknowledge all mail immediately on receipt, but some delays have occurred. Where the complaint is from someone other than the inmate, the inmate's consent is obtained before any action is taken.

Usually the inmate file kept by the Canadian Penitentiary Service in Ottawa is examined prior to replying in full to the inmate's letter. Whenever the inmate's complaint cannot be satisfactorily dealt with in writing, an interview is arranged. The next step, when necessary, is usually an informal contact with the member of the penitentiary service who might be able to resolve the problem. If the issue is of a general nature, I usually refer it to the Commissioner with the knowledge of the staff members involved.

When a complaint is declined, only the complainant is told, unless the involvement of others has been necessary to deal with the matter.

Visits to institutions occur regularly and areas are visited at approximately two and a half month intervals. It is a geographic impossibility for the Correctional Investigator to respond to emergency situations.

Approximately 55% of the inmates who have contacted the office have been interviewed and some have been interviewed more than once. A large number of interviews were for the purpose of explaining why the Correctional Investigator could not render assistance with the problem. Sometimes the interview was to explain a complicated calculation of sentence, or discuss a troublesome fact of life.

The majority of the interviews at the institutions were conducted in one of the administrative offices. From time to time, I arranged to walk through the institution, often in the company of a member of the inmate committee and a correctional officer. I tried to be considerate of the need for privacy of the inmates and not to surprise them by suddenly appearing unannounced on the range.

I was not refused access to any place.

The files in our office are kept secure and not made available to anyone other than persons employed by the Correctional Investigator. All documents, letters and envelopes from inmates are retained in the files. Original documents provided by inmates are copied and the originals returned.

Each complaint is given a chronological number, and a code number indicating place of origin and year of receipt. A monthly résumé is made of the types of complaints and the action taken. This résumé is forwarded to the Solicitor General and the Deputy Solicitor General without names of the persons who have complained.

At the end of the twelve month period, the vocabulary of the resumé was standardized and the statistics here provided were compiled on the basis of this revised résumé. As the

operation was new, some inaccuracies may exist, particularly in the earlier stages.

GRIEVANCE PROCEDURE

In conjunction with the establishment of the office of the Correctional Investigator, the Canadian Penitentiary Service established an inmate grievance procedure for dealing with inmate complaints (Appendix C).

Under the terms of reference, the Correctional Investigator should, generally speaking, refrain from dealing with any complaint until after it has been dealt with by the Commissioner. The minimum time for carrying through a grievance is 1 1/2 months. It is often much longer. Many of the complainants who came to us had already contacted the Commissioner's office before the grievance procedure was instituted.

I have taken part in discussions with officials of the Canadian Penitentiary Service, at their request, for the purpose of improving and co-ordinating our respective services.

Some inmates consider the administrative grievance procedure useless, others are not capable of properly formulating the grievances or following through the regular channels, and some have had difficulties obtaining grievance forms. Examination of files and conversation with inmates reveal that some grievances have resulted in changes in favour of the grievor.

There are some complaints which should not have to go through administrative channels. So far, I have taken the attitude that an interview, when requested, should be given in the first instance. An inevitable result of adopting this approach is that a large number of complaints will be declined as premature. Nonetheless, I believe it is of assistance to all concerned if the complainant receives guidance in bringing his complaint to the attention of the administration. I do this, while I bear in mind that the Correctional Investigator should not become a substitute classification

officer or counsellor and should allow the administration to try to solve the problem first.

SPECIAL INVESTIGATIONS

Several special investigations were undertaken during the year:

1. An inquiry into discrimination against francophone inmates at the Prison for Women at Kingston, at the request of the Solicitor General.

No evidence of discrimination was found and a special report was delivered to the Solicitor General. (See Case No. 66.)

2. An inquiry into inmate attitudes during a disturbance at the British Columbia Penitentiary in October, 1973 at the request of the Solicitor General.

A special report based on inmate interviews was delivered to the Solicitor General.

3. An inquiry into the alleged excessive use of dissociation at Prince Albert Penitentiary, at the request of the Solicitor General.

The report is not complete.

4. An inquiry into the announcement of the death of an inmate to his family, at the request of the Solicitor General.

The inquiry is incomplete.

5. An inquiry into allegations of mistreatment of inmates by staff at Millhaven. Originally these were individual complaints. On the basis of these complaints a report was furnished to the Solicitor General, describing the inmates' point of view during the disturbance. In addition, some cases were referred to legal aid and others are still pending.

I refrain from commenting on these allegations at this

time. The seriousness of the allegations demand that they be thoroughly investigated and that both sides be heard. I have not yet completed my work in this area. Furthermore, I am informed that some allegations may be before the courts and comment on my part might be inappropriate at this stage.

6. A comparative study of the amount of gas used to control inmates in different institutions.

The study is incomplete.

COMPLAINTS

A total of 782 complaints reached the office from 595 complainants during the first twelve months of operation. The description of selected cases in this report will indicate the types of complaints received and the action taken.

The word "complaint" is used to describe any approach for assistance, other than a request for information.

The complaints which were successfully resolved seem far more varied than the ones which were declined and as a consequence, a disproportionate number of cases which have been "rectified" will be reported. The term "rectified" has been used to indicate that the specific complaint has been dealt with in a manner which reasonably could be said to have remedied the complaint. It is not suggested that all rectifications came about because of direct action from the office of the Correctional Investigator. Sometimes the administration was found to have taken remedial action by the time the complainant was interviewed. It often appeared that contact with the Correctional Investigator had a catalytic effect.

I do not consider the percentage of cases rectified an indicator of the failure or success of the office of the Correctional Investigator. One of the major problems in the penitentiary setting is one of communication. I believe that the explanation of a sentence calculation which is right in law, can be as important as the rectification of a complaint over a miscalculation. Furthermore, although the complainant may be displeased with the result of an investigation of his complaint, he has the satisfaction of having tried to improve his situation. It is my hope that with the additional staff there will be more time to examine complaints thoroughly, and to take the time to give appropriate explanations to the complainants in person. I also hope that the administration will focus attention on the areas where the largest numbers of unresolved complaints occur.

Some complaints were declined because they were outside the terms of reference of the Correctional Investigator. Some concerned civil matters, court procedures, court decisions, and other matters falling within provincial jurisdiction. Occasionally, we were still able to be of assistance, for example in a matter of an application for old age assistance, help was provided in the way of application forms by my staff. In another case, the complainant was provided with application forms for the replacement of a Social Insurance Card.

The Correctional Investigator received a number of complaints concerning parole. However, the *Parole Act* gives sole and absolute discretion in the matter of granting, refusing and revoking parole, to the National Parole Board and no inquiries were made into such decisions. The Chairman of the National Parole Board was informed monthly of the number of complaints which involved Parole Board decisions, and in a few cases where it seemed appropriate, a report was given to the Chairman. It was suggested to all who complained about parole that they contact the local representative of the Parole Service or the Chairman of the National Parole Board.

Other complaints were declined as premature. These cases primarily involved administrative decisions where the administrator has complete discretion by law. The advice, when given in writing, was usually phrased in the following manner:

... In order to have your complaint reviewed, you may wish to use the grievance procedure. The enclosed Commissioner's Directive No. 241 explains the procedures you are required to follow. You should particularly note paragraph 4 of the directive and begin by making an oral complaint. If there is no action on your complaint, fill out the grievance form, date and sign it, keep a copy for yourself, and forward the original to the director. If you do not receive a reply within the time limit or you feel that your grievance has not been rectified, you are free to proceed to the next level. I hope you understand that before an "ombudsman" can review a matter as a last resort,

there must be a final administrative reply to your complaint.

If, after you have had a final reply from the Commissioner, you feel you have been the subject of administrative error, oversight or abuse of power, please feel free to contact this office.

Some complaints were found not to be justified. By that I do not mean the complaint was frivolous, but rather that sometimes nothing could be done for the complainant. This could be because the complaint concerned existing law or policy or because the individual suffered a hardship which could not be remedied under the present circumstances. Several of the general recommendations herein arise out of complaints which were turned down as "not justified".

A number of complaints were discontinued, mostly because the inmate had been released.

One complaint concerning inmate pay was not investigated because of a possible conflict of interest. While working as a public servant I had previously given legal advice on this matter. A lawyer who had acted for the inmate was advised of this and he was requested to use other avenues to deal with the complaint.

STATISTICS

In order to provide statistics, the complaints within the terms of reference have been divided into the following fourteen categories:

- Sentence administration
- Dissociation (punitive and non-punitive)
- Discipline (procedures and measures)
- Temporary absence
- Transfers
- Compensation (for injuries and loss of personal property)
- Medical
- Education
- Visits and correspondence
- Bilingualism
- Racial discrimination
- Financial matters (inmate's)
- Information on file
- Conditions, generally

Complaints which were declined as being outside the terms of reference have been categorized as follows:

- Civil matters
- Court procedures
- Matters within provincial jurisdiction (other)
- Parole Board decisions
- Other

The actions taken on complaints have been classified as follows:

- Pending
- Declined: (a) no jurisdiction, (b) premature, (c) not justified
- Discontinued
- Rectified
- General recommendation
- Assistance, information, advice or referral given
- No immediate action required

The tables following also provide information about the number of complaints, their place of origin, their relation to inmate population et cetera.

TABLE A
CATEGORIES OF COMPLAINTS

<u>Within Terms of Reference</u>	<u>Number</u>
Sentence administration	55
Dissociation (punitive and non-punitive)	55
Discipline (procedures and measures)	38
Temporary absence	70
Transfers	117
Compensation (for injuries and loss of personal property)	23
Medical	61
Education	9
Visits and correspondence	44
Bilingualism	5
Racial discrimination	9
Financial matters (inmates')	7
Information on file	16
Conditions, generally	118
	<hr/> 627
<u>Outside Terms of Reference</u>	
Civil matters	5
Court procedures and decisions	33
Matters within provincial jurisdiction (other)	24
Parole Board decisions	87
Other	6
	<hr/> 155
Grand Total	<hr/> 782

TABLE B
ACTION TAKEN ON COMPLAINTS

<u>Action</u>	<u>Number</u>
Pending	88
Declined	146
a) No jurisdiction	285
b) Premature	70
c) Not justified	31
Discontinued	63
Rectified	50
General recommendations	22
Assistance, information, advice or referral given	27
No immediate action required	<hr/>
	782

TABLE C
RECTIFICATION BY TYPE OF COMPLAINT

<u>Type</u>	<u>Number</u>
Sentence administration	8
Dissociation (punitive and non-punitive)	Nil
Discipline (procedures and measures)	2
Temporary absence	9
Transfers	12
Compensation (for injuries and loss of personal property)	4
Medical	13
Education	3
Visits and correspondence	3
Bilingualism	1
Racial discrimination	Nil
Financial matters (inmates')	Nil
Information on file	1
Conditions, generally	7
	<hr/> 63

TABLE D
COMPLAINANTS BY REGION AND INSTITUTIONAL CLASSIFICATION

		<u>MARITIME REGION</u>			<u>QUEBEC REGION</u>			<u>ONTARIO REGION</u>			<u>WESTERN REGION</u>		
		944			2279			2700			3250		
		Max	Med	Min*	Max	Med	Min*	Max	Med	Min*	Max	Med	Min*
AVERAGE INMATE POPULATION BY REGION		426	402	116	763	1263	253	912	1320	468	1638	1020	592
AVERAGE INMATE POPULATION BY CLASSIFICATION													
TOTAL NUMBER OF COMPLAINANTS													
<u>1973</u>													
June	27	1			2			5	4	2	10	3	
July	15	2						4	1		5	1	2
August	54	7	1		1	5	1	7	9	1	14	5	3
September	41	2	1		2	2		2	6	2	14	10	
October	42		1		2	3	2	10	4	1	11	4	4
November	65	23			7	5		14	5	1	5	4	1
December	66				9	10	2	28	2	4	7	2	2
<u>1974</u>													
January	70	5	1	1	13	5	3	9	4	2	19	6	2
February	70	1	1	1	12	5	2	10	7	1	15	15	
March	64		2		10	8	2	11	10	12	5	3	1
April	38		6		1	4		10	7	2	7	1	
May	43	1	1		5	5		5	9	3	8	5	1
		42	14	2	64	52	12	115	68	31	120	59	16
TOTAL COMPLAINTS BY REGION		58			128			214			195		
		<u>TOTAL</u> 595											

TABLE E
COMPLAINANTS – MONTHLY BY INSTITUTION

Average Institution Population	444	533	544	458	370	192	77
	Stony Mountain	Saskatchewan	British Columbia	Drumheller	Matsqui	Mountain	Agassiz
<u>1973</u>							
June	2	4	4	1	1	1	
July		1	3			1	1
August	3	4	5	2	2	2	2
September	4	5	4	5	2	3	
October	2	6	2	4			
November		2	3	1		2	1
December		4	3			2	2
<u>1974</u>							
January	1	16	2	1	2	2	
February	4	5	8	1	7	3	
March	2	8	4	1			1
April		6	1	1			
May		5	3	3		2	
Total Complainants	18	66	42	20	14	18	7

TABLE E (Continued)

Average Institution Population	117	86	142	390	101	460	118
	Regional Medical Centre (Western)	Stony Mountain Annex	William Head	Millhaven	Beaver Creek	Joyceville	Regional Medical Centre (Ontario)
<u>1973</u>							
June				4	1	3	
July	1			2			2
August	1			3		6	2
September	1					3	1
October		2	1	8		2	
November				11		2	1
December				24		2	1
<u>1974</u>							
January	1		2	8		4	
February	2			9		4	
March	2			8		5	
April				10		7	
May			1	3		6	
Total Complainants	8	2	4	90	1	44	7

TABLE E (Continued)

Average Institution Population	445	200	150	76	415	92	76
	Collins Bay	Regional Reception Centre (Ontario)	Prison for Women	Millhaven Minimum	Warkworth	Joyceville Annex	Landry Crossing
<u>1973</u>							
June							
July	1						
August	3	1	1	1			
September	1	1		2	2		
October		3			1	1	
November	2	2			1		1
December		3				1	3
<u>1974</u>							
January			1	2	1		
February	1		1		2		
March	4	3		1	1		
April	1					2	
May	2		2		1		
Total Complainants	15	13	5	6	9	4	4

TABLE E (Continued)

Average Institution Population	14	86	406	88	478	128	360	88
	Montgomery Centre	Collins Bay Annex	Archambault	Laval	Leclerc	Montée Saint François	Federal Training Centre	Correctional Development Centre
<u>1973</u>								
June			2					
July								
August				1	2	1	3	
September			1				1	1
October			1	1			1	
November			2	2			2	
December			5	2	3	1	3	
<u>1974</u>								
January	2	1	4	5		3	3	
February	2		2	5	2	1		1
March		1	5	2	1		3	
April			1		2		1	
May		2	1	3	4			
Total Complainants	4	4	24	21	14	6	17	2

TABLE E (Continued)

Average Institution Population	425	132	137	94	421	81	392		
	Cowansville	Regional Medical Centre (Quebec)	Regional Reception Centre (Quebec)	Ste. Anne des Plaines	Dorchester	Dorchester Annex	Springhill	Other	Total
<u>1973</u>									
June					1			3	27
July					2			1	15
August					7		1	1	54
September	1				2		1		41
October	2						1	4	42
November	3	3			23			1	65
December	3	1	1	1				1	66
<u>1974</u>									
January	1		1		5	1	1		70
February	3	3			1	1	1	1	70
March	5	2		1			2	2	64
April							6		38
May	2				1		1	1	43
Total Complainants	20	9	2	2	42	2	14	15	595

TABLE F
IDENTIFICATION OF COMPLAINANTS
ACCORDING TO SEX

Number of complainants	595		
Penitentiary population	9,153 (average during year)		
		<u>% of Complainants</u>	<u>% of Population</u>
Sex:			
Male	590	99.16	6.54
Female	5	.84	3.33

TABLE G
VISITS TO INSTITUTIONS

<u>Institution and classification</u>	<u>Number of visits*</u>
<u>Maximum</u>	
Archambault	3
British Columbia	5
Correctional Development Centre	2
Dorchester	9
Laval	2
Millhaven	9
Prison for Women	8
Saskatchewan	16**
Stony Mountain	3
Regional Reception Centre (Quebec)	2
Regional Reception Centre (Ontario)	4
Regional Psychiatric Centre (Ontario)	3
Regional Psychiatric Centre (Quebec)	3
Regional Psychiatric Centre (Pacific)	2
<u>Medium</u>	
Collins Bay	4
Cowansville	3
Drumheller	4
Federal Training Centre	1
Joyceville	3
Leclerc	3
Mountain	4
Springhill	5
Warkworth	4
Matsqui	3

TABLE G (Continued)

<u>Institution and classification</u>	<u>Number of visits*</u>
<u>Minimum</u>	
Agassiz	3
Collins Bay Farm Annex	2
Dorchester Farm Annex	1
Landry Correctional Camp	1
Millhaven Minimum Security	2
Montée Saint-François	6
Ste. Anne des Plaines	3
William Head	3
<u>Regional Headquarters</u>	
Ontario	4
Quebec	4
Pacific	2
	136

* Occasionally two institutions were visited in one day.

** Two special inquiries were conducted.

CASE REPORTS

No particular pattern has been used in selecting cases, but those which I thought might be of general interest have been chosen along with a few which have caused me particular concern.

Sentence Administration

Fifty-five complaints were received in this category; eight were rectified.

Computation of sentence is of continuing concern to inmates and administrators. A complicated set of overlapping sentences, coupled with an escape and a parole violation, may take hours to figure out.

Sentence administrators at institutions do their best to explain calculations to the inmates, but because of the complexities of the statutes and the case law, they are not always successful and the inmates often become frustrated and suspicious. The complexities of the law dealing with sentencing increases the possibility of error, both mathematical and in the interpretation of the law.

The Commissioner has agreed that inmates should receive a written statement of the calculation of their sentences on request.

Inmates, and others are baffled at the results of statutory provisions, for instance: A person is convicted and receives a twelve year sentence; he later escapes and is sentenced for the escape; in accordance with the *Penitentiary Act* three-quarters of the statutory remission which stood to his credit at the time he escaped is also lost because of the conviction for the escape.

While later a portion of the lost remission is restored because of his improved behaviour.

Later again, he is paroled; he may be on parole for several years, but then he commits an indictable offence and his parole is forfeited. He is returned to serve the sentence for the new offence, the unexpired portion of the old sentence, as well as the remission, earned and statutory, on the old sentence. However, at this stage it is no longer possible for him to apply to have the lost remission restored, because he is now on a new single sentence.

I understand that studies are under way in the Ministry of the Solicitor General and that recommendations for simplification may be made. If changes were made which would simplify this area of the law, calculations would be easier to understand, errors would diminish and the amount of time spent by sentence administrators on calculating sentences and explaining them could be reduced.

Case No. 58

This complainant reported that when he had been sentenced for escape, the judge had stated that the sentence should be *concurrent*. The *Criminal Code* provides that an escape sentence must be served prior to the remainder of the sentence from which the person escaped. The warrant of committal merely stated that the court sentenced the inmate to a certain number of months for the escape. The sentence was therefore calculated in accordance with the *Criminal Code* by the sentence administrator. When the inmate objected, the Canadian Penitentiary Service contacted the judge who confirmed that he had intended the sentence to be concurrent, however, he considered himself legally unable to change the warrant. The sentence administrator was bound by legal advice to the effect that a warrant must be obeyed. An appeal to a higher court did not look promising.

As it was apparent that the judge had intended that the previous sentence and the sentence for escape should have overlapped, I suggested to the director of the institution that this man probably was serving a longer total term than was intended by the court. I also submitted a request to the Solicitor General that consideration be given to making an application for clemency. Before the matter was considered

by the Solicitor General, the director decided that justice might be served by returning to the inmate some statutory remission which he had lost. This resulted in the immediate release of the complainant, and in the circumstances, I think, justice was served.


Frequently, diagrams are used to clarify calculations of sentences. Diagrams could have been used in the above-mentioned case to demonstrate the results as follows:


Legend: Escape sentence _____

Remanet 

Lost statutory remission - - - - -

A. Sentence as pronounced in court: 

B. In accordance with the Criminal Code (and Warrant):


C. In accordance with the Director's recommendation:


Case No. 53

This inmate complained that he had not been credited with earned remission for a period while he was on parole suspension, but in custody in a federal institution.

The matter was referred to the sentence administrator who rectified the situation and in addition, found another error which resulted in a further correction in the complainant's favour.

Case No. 76

The complaint in this case concerned eligibility to earn statutory remission and to apply for temporary absence. The complainant and a co-accused received the same sentence, but for unknown reasons, one inmate spent three months in a provincial institution while the other was almost immediately taken to a federal institution. The decision on time of transfer from provincial to federal institutions is made by provincial authorities. Both individuals had appealed.

The effect of the different places of incarceration was that the one who stayed in the provincial institution was not able to earn remission, three days per month, because of the provisions of the *Penitentiary Act* and the *Prisons and Reformatories Act*.

Likewise, by reason of the provisions of the Commissioner's Directive, time spent in the provincial institution does not count towards eligibility for temporary absence. Both aspects of the complaint were declined as not justified because the decisions were in accordance with the relevant legislation and the directives.

Similar complaints were received from other inmates involving lengthy periods of incarceration in provincial institutions.

The Commissioner has agreed that changes in legislation would be studied and has advised that the whole question of statutory and earned remission is under review.

Recommendation

That the relevant acts be amended to permit all persons under sentence equal opportunity to earn remission regardless of place of incarceration.

Recommendation

That the Commissioner's Directive be amended to provide that time spent in custody after conviction regardless of place of incarceration be taken into consideration in respect of time required to be served before being eligible for temporary absence.

Case No. 119

The complainant stated that he was on day parole for three months and that during the second three-month period of day parole he was charged with an offence. He was re-admitted to penitentiary, his day parole having been terminated. One hundred and eight days later, he received a two month sentence. The inmate received credit towards his sentence for the time he was on day parole. However, by reason of the provisions of the *Parole Act*, he was not given credit for the 108 days after termination of his day parole. The case was referred to the Commissioner and he initiated a recommendation for remission of the time spent in custody. Executive clemency was eventually granted not only to this inmate, but to seven other inmates in the same position.

Multiple Cases

Many inmates complained in general conversation about the introduction of mandatory supervision. Their feeling is that they are bound to fail because they will be supervised by the same persons who advised against them being granted parole. The rules concerning suspension, forfeiture and revocation of parole are applicable to mandatory supervision and many inmates think that being on mandatory supervision exposes them to a never-ending chain of release, revocation, release, etc. I am told by sentence administrators that some individuals actually end up serving earned remission time. However, I think the complainants express it better than I.

One complainant expressed his views this way:

In 1962 the Canadian Government got together and gave all federal prisoners a thing that you call remission, so they wouldn't have to give us amnesty if the Queen came to our country anymore. I know I gave up my rights when I first got into trouble with the law in 1959, but to me as far as I am concerned the Canadian Government and . . . the National Parole Board are stealing now and, that is by making us to go out on mandatory parole which is wrong and stealing our remission off of us. Plus many parole violations that are been done which the Parole Board is not telling the people of our country is the good time and remission that they stoled off of us help less people that are barred from society as I have only one name for this mandatory parole and that is:

Stolen Good Behaviour Time

So how about trying to do something about this matter before the National Parole Board can put a collar around our necks, just to be able to hang onto us for the rest of our lives. As I said, I know that I did wrong and everytime that I do get out I try a little bit harder to stay out. But when I see people like the National Parole Board being able to steal like this and not get charged, then it's hard to know, who really does care out in society about us. Thank you for listening to me. Please excuse my writing as I only have grade 3.

Another inmate wrote:

Our Committee has advised that you would be receptive to our views on Mandatory Supervision, and that you will look into this matter if you receive enough letters on this subject. I hope, Miss Hansen, that you will take into consideration the fact that many of us are not able to express ourselves in writing. For this reason — and this reason alone — the number of individual letters that you receive concerning this policy will not be an accurate sample of the number of bitter and dissatisfied inmates presently serving time

in a Federal Penitentiary. Hopefully, Miss Hansen, you will see fit to act on our behalf's once you have read the views of those who are able to express themselves in a letter.

I personally am a violator of Mandatory Supervision. My predominant feelings on this policy are bitterness and despair. This bitterness, I might add, appears to be present in all the inmates that have yet to be released under this system. Actually it is quite difficult to feel any other way under this system. Anyone who is not at least slightly bitter must surely be one of those inmates who has already been broken and turned into a vegetable.

Surely the enormous number of Mandatory Forfeitures since its inception attest to the gross error made in Ottawa when the Mandatory Parole Act was passed. Of course, many of us wonder why a system, which failed so miserably in four other countries, should ever have been attempted here in Canada. I, for one, do not appreciate the privilege of being a "guinea pig" in an experiment which most certainly had to fail from the start. Some of us do not readily adapt to the roles of "playthings" for the politicians in Ottawa. We are fully aware that we are the only ones — besides our families — who suffer while the two groups of the National Parole Board move farther and farther apart in their ideas---While one group complains that they do not have nearly half as many workers as they require, the other group hollers for twice as much work and control. When we are released on Mandatory Supervision we are expected to co-operate fully with our supervisors. This co-operation would be much easier to give if we did not feel that we were being treated unjustly in the first place. After all, Miss Hansen, those released under Mandatory Supervision have already been denied the privilege of parole when we appeared in from of the National Parole Board. We have been told by this Board that we were considered poor risks. They have told us that they did not consider us good parole material, and that we would be unable to fulfill the

conditions of parole. Then, when we are finally released because the law will not permit them to hold us any longer, this same Parole Board expects us to live under the very same conditions that they have decided we could not possibly live under in the first place. Not only that, but we are expected to appreciate the situation and to show enthusiasm, while inside we naturally can only feel bitterness and resentment.

You see, Miss Hansen, this leaves the ex-inmate remiss in his willingness to co-operate fully with his designated supervisor, but I feel the main reason is that we are expected to not only accept, but to also appreciate, the conditions of a parole without ever having been granted a parole – A pretty much one-sided sort of contract, wouldn't you say!!! The Mandatory Parole system has already proved to be a failure. Even its most stubborn supporters must realize that the only solution now is to abandon it or to build more prisons. Parole (and its conditions) must be granted under certain conditions which are agreed upon beforehand by both parties. An inmate must feel that he is being given an opportunity to prove himself rather than be serving his 'good time' on the street.

Another obvious result of all these Mandatory Forfeitures is that the Institutions will eventually lose all control over the inmates that are back serving their "good time" since we have nothing left to lose anyway. Until Mandatory Supervision has been abolished, Miss Hansen, this bitterness and lack of co-operation that are now prevalent both inside and outside the prisons will continue to exist in all but the "vegetables". So unless the government's intention is to harvest a vast "vegetable garden", a realistic view of this system should be taken immediately.

Many inmates complained about loss of statutory remission as a result of conviction for escape and related offences.

The *Penitentiary Act* provides that an inmate who is convicted of escape (this includes being unlawfully at large) loses three-quarters of the statutory remission standing to his credit at the time of escape.

This gives rise to two problems; firstly, an inmate who is convicted of escape but who has committed no institutional offences will lose more by way of statutory remission than one who has lost remission because of a conviction in disciplinary court. Secondly, the automatic loss of statutory remission applies equally to the inmate from a maximum institution who climbs over the wall and the minimum institution inmate who, while on a program of re-introduction into society gets into an argument with his wife and fails to return on time.

The pre-release program is designed to help the inmate adjust to the outside world, but, the longer the person has been incarcerated, the more fraught with anxiety is his return to society, and the more statutory remission he stands to lose.

Recommendation

That the automatic loss of statutory remission on conviction for escape and related offences be abolished.

Dissociation

Fifty-five complaints were received in this category and one was rectified.

Inmates may be dissociated for three main reasons: as punishment, for their own protection and for the good order and discipline of the institution. Persons in non-punitive dissociation are supposed to retain their privileges, such as furniture, smoking, library books and visits.

I am not competent to know whether dissociation as punishment is an effective means of controlling an inmate. In some cases the punishment is cruel. I am also concerned with dissociation for the other two purposes. The facilities vary from institution to institution. In order for a person who has not served time to imagine what solitary confinement is like, it must, I think, be related to something already known.

Imagine a cement garage. Divide it in half by a wall which contains a solid, noisy metal door. A naked light bulb hangs from the ceiling and along one wall is a platform the size of a single bed. There is a toilet bowl in a corner, (in punitive dissociation it may just be a hole in the floor). The room may be wired for radio reception and earphones may be provided. However, there is no way in which the volume may be controlled. Three meals a day are provided on paper plates; the utensils are plastic. The meals will generally have been sitting on the plate for between fifteen minutes and half an hour before it is brought in. The last meal in the day is served in the late afternoon. Sometimes hot water will be provided for coffee later on in the evening. A blanket and a foam mattress are delivered late in the afternoon and picked up in the morning.

In most cases the person spends 23 1/2 hours per day in this room. Exercise for the other half hour usually means walking outside, alone, generally in a small enclosure within the larger prison yard. In some cases it merely means a walk up and down along other similar cells containing other inmates in dissociation, with no opportunity for fresh air, nor is the inmate ever able to see the sky.

In dissociation, I met those who challenge authority "just because it is there", those who "smash up", those who break the penitentiary rules, but I also met those who cannot otherwise get along in the penitentiary population, and the mentally disturbed. In addition, and in separate quarters, are those at the bottom rung of the class structure in the penitentiary: the informers, the scared, and those who have committed offences that are unacceptable to other inmates. I find this treatment inhumane and I would urge that something be done as soon as possible to remove most of the dissociated from the large maximum institutions. These inmates require the employment of extra staff within the institution. They represent an irritant to many of the other inmates and to some staff. Many of them live in fear 24 hours a day.

One method that comes to mind for the inmates who do not represent a security problem would be to house them in trailers or converted houses with a small number of inmates

in each. These trailers could be kept adjacent to the penitentiary, or even better, if work could be found, they could be taken to places where work is available.

Recommendation

That a special study of the use of dissociation in Canadian penitentiaries be made to determine:

- a) whether it is useful as punishment;
- b) whether it is the most efficient way of providing protection to certain inmates;
- c) whether some or all dissociated inmates could be detained in other small structures which provide adequate security; but outside the main institution.

Three inmates have described their life in solitary this way:

Inmate A:

6:10 am

Awakened this morning by the 'clanging' of the radiator. The heat is being turned off and this 'spasmodic knocking' sound occurs whenever it is turned on or off.

It is cold this morning, for there are three of the five large (push open windows) open. It is just enough light from the windows to see to write.

This Segregation Unit in . . . is called 'Phase II'. There are three phases – Phase I, II and III. Phase I is the worst and accommodations progressively improve with each Phase.

There are eight cells with bars in this Unit and three with solid, steel doors on the end. Number 1 cell is

used for the guard's office, Number 2 cell the store-room, and the rest of the cells to accommodate a disciplinary purpose.

A shower and wash sink are located on the other side of the guard's office, directly in front of the door leading to Phase III which is adjacent to Phase II. Phase I is located in another part of this building. On both sides of the door, the wall area, it is 'wired glass', to allow the officers to step out of the office and view Phase II clearly. The corridor outside the cells to the wall is approximately 25 feet in width and 60 feet in length. I am not able to control the air circulation and it generally goes from one extreme to the other, 'hot and stuffy or very cold'. Air circulation depends on the guards 'rounds' which are irregular throughout the evening and night and mainly his attitude on whether he will oblige to open or close the windows.

Corridor lights are usually turned on approximately 6:00 am each morning but they are not on as yet. The schedule deviates at each guard's discretion. There are always two go by on each count.

7:12 am

The corridor lights have just been turned on!

7:15 am

Breakfast cart has just been wheeled in. The food is on plastic trays and served with miniature utensils (five-inches long). The tray consists of; toast with syrup, three small apricots, two slices of toast, one spoon of jam, two cubes of butter, milk and coffee in a container. The coffee is the warmest item. Having been down here approximately three months, I have yet to have my first hot meal.

There are five guards standing by the tray cart. One cell at a time is opened and you go out, pick up your tray bringing your own cup with you for coffee or milk. There are five of us in Phase II and only 'one bowl' of shredded wheat. All of us pass it up for the fifth man. One inmate requested cereal and was told

by an officer, 'thats all there is'. It is common for the trays in this segregation to be lacking food on the menu, e.g. dessert, fruit, etc., we are the last to be fed.

When all of us have our trays, we have about five minutes to eat before they (guards) begin collecting trays. We have a multiple choice in dining; (1) set the tray on our lap and eat, (2) set the tray on the bed (stand or sit on the floor and eat) or (3) set the tray on the floor and sit on the floor. There is a toilet in the cell but I have omitted this choice for hygiene principles. The tray cart is pushed down in front of the cell-office and the guards usually bring extra trays for themselves, we are not allowed any extra food, except for coffee and this again is at the discretion of the officers on duty.

The inmate in the cell next to me is calling for more coffee. All during the night and evening he has requested water and the officers going by for count keep replying 'on the next round'. His plea for coffee is ignored.

Another inmate on the other side of me is washing in the toilet.

The cells are barren with only a toilet and a bed board elevated (on legs) off the floor. It is wood, 31 inches X 71 inches, the commode is large white porcelain. There is no wash sink, no lights, no table or chairs, nor accessible window to control ventilation. Dimensions of the cells are 5-1/2-feet in width, 9-1/2-feet in length and 7-3/4-feet in height. The wall colour is a dismal grey-green with the usual script and scratching on the wall. Names, dates of time served, numbers, time of original sentence, profanities (F.Y.W. - fuck you warden), homosexual solicitations, hypodermic sketchings by the 'speed freeks', slang and slogans of 'Right On, Keep On Trucking', etc. There is also a profound message on the wall written in pencil:

'Are you here because:

Once you do it

It's hard to retrieve it
But time heals all wounds
So sit back and take it like a man,
For no person can fail, if he really tries.
This is real and so are you,
So don't content to be different in this place.
Cause only you, can retrieve yourself.
There is no short-cut to happiness
But if you say to yourself,
Things will change and time is not the matter,
Man, you have it beat.
You're on your way
So smile and be happy if you don't care
To share your life with people like me.
But I, like you, am the criminal convict
With the only love being my pen
So as to talk to my only friend now
THE WALL . . .

Hope you didn't read all this

Unknown'

9:00 am

The nurse came by. The nurse comes by approximately this time each morning but we can only see the doctor on Thursday. This is the only day we are allowed to be sick. I have waited 'weeks' to see the doctor and my condition warrants daily medication, Q.I.C.! We do receive prompt and daily dental treatment if required.

The telephone in the office rings frequently but there is no one there to answer it. In case of illness, emergencies, we have to scream and bang on the bars

'guard up'. This starts a chain-reaction to the inmates in the front section which is Phase III and can be heard by the guards in a post outside of the corridor. It's a hell of a way to summon anyone.

9:45 am

Guards return to release corridor cleaner, we are let out one at a time to get water and wash up. On many days, they don't show up at all, today we are fortunate.

10:20 am

They have to get the dinner cart, our trays have already been prepared and are sitting outside the kitchen, without any covering. This is evidently the reason for the cold meals.

10:50 am

The dinner cart is wheeled in, the menu consists of: a piece of salmon, half a scoop of potatoes, string beans, mince pie, five slices of bread (the top slice is hard as toast), three pieces of butter, tea or milk. We have tried to get salt for days but everyone (guards) seem to forget. The guards on day shift serve breakfast and dinner, another shift serves the supper.

11:05 am

They (guards) leave with the cart, not to return until the afternoon, approximately 1:30 pm. It's chilly, so I pace in the cell to keep warm. Three windows are open wide and we will have to wait until they come in and request to have them closed.

1:20 pm

A guard comes in and takes the spanish-speaking inmate out. He ignores our calls and requests to close the window.

2:09 pm

The guards return from their lunch *hour*. We are let out in the exercise yard for ten minutes and then

locked up again. Prior to locking up, we hastily close the windows.

2:30 pm

Mailman brings the mail down. The mail is picked up about 8:30 am for the rest of the entire population including Phase I, and is censored and sent out of the institution at noon. By picking ours up so late it does not go out until the following day, therefore, a letter written Friday afternoon does not leave the institution until Monday afternoon, which is ridiculous and due to the laziness on the part of Visiting and Correspondence.

Personally I have encountered numerous difficulties with this department. My mail was held-up for a lengthy period of time unjustly, my visitors were harassed and delayed for hours at a time for no apparent reason except to discourage visitation. There are no facilities to accommodate visitors, so ladies have to leave and go downstairs to the ladies' room, to wait for guards to open and let them through two gates, there is no coffee, tea or hot chocolate machines for visitors in the cold winter months and many travel great distances to spend only an hour if they are fortunate. These conditions could be improved in a showing of appreciation and a positive factor for better relationship with family and friends.

I have had visitors on my visiting list turned away and had no knowledge of this until I was informed via correspondence. Two visitors never returned.

3:00 pm

All the guards leave for the day. Approximately *only three hours* of the day the office is occupied. This means that 21 hours of the day there is no supervision and the inmates are vulnerable to delayed medical aid in acute illness, which has happened in many instances. There is no system for alarm of illness or fire! A point of fact: We are restricted and deprived of

participating or attending any religious service whatsoever, without any visitation of the clergy of any denomination. In my three months of segregation there has only been two visits by the Catholic priest.

3:40 pm

Supper cart is brought in, menu consists of: a slice of roast beef, two small roast potatoes, sliced carrots, two cookies, five slices of bread, three cubes of butter, a spoon of jam, coffee or milk.

3:51 pm

The trays are picked up. If the guards would start picking up the trays in Phase III we would have a few more minutes to finish our meal. There are only two lights in the outside corridor and with no lights in the cell, as soon as the sun sets, it becomes quite difficult to read for any period of time or write letters.

There is nothing to do these long hours but pace the cell or lie on our bunk. After a prolonged period of lack of exercise, poor hygiene facilities, and light, one is inclined to become very tense or succumb to a state of melancholy.

11:00 pm

The corridor lights are turned off and in the dark, one contemplates the forthcoming day in repetitive stagnancy.

Inmate B:

The physical structure of the unit is, I believe, familiar to you? e.g., enclosed cell, with a small five inch by five inch (approx.) window looking out onto the range. Each cell has a cement and wooden platform approx. six inches off the floor which serves as a bed

Daily routine : The only variance in routine consists of shower period on Wednesday and a half-hour difference in breakfast on week-ends.

7:30 (all time periods are approximate) -- Breakfast

Food is forced (literally) through small opening in cell door – facilitated by paper plates – or from a table at the end of the range. The method depends on the temperament of the guard on duty.

8:00 am -- Exercise

May occur anytime between 8:00 am and 9:30 depending again on the temperament of guard. Consists of walking the range exclusively. No games, fresh air or sunlight. 1295

10:00 am -- Dinner

Same method as breakfast. No activities until supper.

3:30 pm -- Supper

Supper is served at this time to accommodate guard shift change. No activities until breakfast at 7:30 the following day.

This routine is the condition as I observed them as a resident at . . . between December, 1973, to February, 1974. At present I am a resident of . . . where living facilities are, to say the least, unsanitary and potentially dangerous.

I cannot express too strongly, the deplorable conditions which exist here in . . . For example; between the period from 11:30 am to 1:00 pm there are no guards on duty; being absent for dinner. The structure of . . . is such that in the event of fire or illness, there is no way to communicate the fact to anyone. This presents a very dangerous situation to us all in the event of fire.

The situation is such that protesting the conditions would result in some pretext invented to return the protesting inmate to . . . My observations since arriving here in . . . from . . ., suggests that the inmates in protective custody are discriminated against in respect to equal treatment under the pretext of lack of facilities.

As of present our requests on various problems we face here in . . . have not been responded to. I'm sure the inmates would be very grateful if you would bring our complaints to the people there in Ottawa.

If there are any other facts at . . . or . . . you would like an opinion on, please let me know.

Inmate C: (Translation)

It is very difficult to describe in a few words, the circumstances of an inmate who goes into dissociation after a long period of imprisonment. For, if after a few years, the inmate has not reneged on his basic rights to be treated as a free man, he has probably become so hardened that he no longer even considers complaining about the injustices of which he is a victim. On the contrary, he selfishly thinks only of rendering justice unto himself. This phenomenon, to borrow a bit of prison administrative jargon, is known as the process of 'hate/vengeance'. I am sharing these facts with you because I sincerely believe that there is a new feeling in our penitentiaries today. We are entering upon a new era. Administrative arbitrariness and injustice will no longer enjoy its traditional impunity. Be it intramural or extramural, guilty administrators will henceforth have to answer for their deeds.

Let me describe to you what dissociation is like for an inmate who is imprisoned there. He is completely isolated from the general prison population and it becomes extremely difficult for him to have any contact with the administration. He is also cut off from the outside world. He has virtually no access to the information media and he cannot watch television. Visiting hours are reduced to the equivalent of one day a week and then visits are allowed only in the morning. The inmate has no canteen privileges and his tobacco is rationed. Not only is his salary cut off, but he must still contribute to the Inmate Welfare

Fund, although he is forbidden to take part in any of the activities.

He is taken off all physical fitness and recreational programs, no more running, weight lifting, badminton, hockey, soccer or broomball. No more chess, checkers or cards. There is virtually no reading. In other words, not content with forcing men to live in an environment that is already dehumanizing, a total void is created around the inmate in dissociation in order to better destroy him. One can only believe that the administration is deliberately trying to anger him in order to then be able to punish him.

Then there is the attitude of the administrators. There are those among them who are humane in the carrying out of their duties, others, however, are not. In actual point of fact, one can just as easily find examples of 'Harry Q. Citizen' among the inmates as among the prison officials. However, by some unfortunate turn of events, there seems to be an extraordinary concentration of narrow-minded and malevolent individuals on the side of the administration. Then, there is the inhuman practice of interment in the cell 23 hours a day. When it rains it is 24 hours out of 24. Gas is also used at any time for seemingly very little reason. If the administration thinks it is being called into question it is absolutely useless for an inmate to ask to contact a lawyer. The request is automatically refused. Letter and visiting privileges are taken away under false pretenses. Repression is really the only word to describe this type of dehumanization.

The old penitentiary system only succeeded in turning out variations of Al Capone. By perpetuating the present system, one would be led to believe that it suits the administration to produce killers by the thousands. To quote Gilles Vigneault the Quebec chansonnier:

'A semer du vent de cette force là, tu te prépares une joyeuse tempête mais peut-être bien que tu t'en aperçois pas!'

Hoping gentlemen, that you might want to resurrect the age old concept of the supremacy of mind over matter, I can only say 'down with brawn and up with brains'.

Disciplinary Proceedings

Thirty-eight complaints were received in this category. Only two complaints were rectified. Some difficulties were encountered in trying to find out what actually had happened at certain disciplinary hearings because few stenographic or other verbatim records are kept. I have not had time to attend any such hearings but hope this may be done in the future.

The director of an institution is charged with enforcing inmate discipline. Charges against inmates are laid by the officers. I believe that the officers often view the conduct of a disciplinary hearing as a contest between inmate and officer. This places the director in an extremely difficult position. In order to maintain order in the institution he must mete out appropriate punishment for disciplinary offences, and in order to make the institution function properly he must also maintain the loyalty of his correctional officers.

A solution might be to have disciplinary courts presided over by an outsider who would not be involved in this conflict.

During discussions with some directors, I have found that they favour being relieved, at least of the fact-finding aspect, of the disciplinary hearing. Various substitutes have been suggested, including the use of retired members of the judiciary, defence lawyers, psychologists and inmates. Inmate committees have expressed the same ideas.

The Commissioner's Directive on Inmate Discipline is progressive in preserving inmate rights in disciplinary court reasonably within the rules of natural justice.

Nonetheless, based on conversations with inmates and staff and on reading material relating to inmate disciplinary hearings (files, notes and transcripts of tapes), I wish to make two recommendations:

Recommendation

That the requisite number of persons be appointed whose only duty would be to preside over disciplinary hearings to make findings of guilt or innocence of inmates who have been charged with a flagrant or serious offence as defined in the Commissioner's Directives. Decisions on punishment might be left or shared with the institutional authorities.

Recommendation

That all disciplinary hearings of charges of what are defined as flagrant or serious offences in the Commissioner's Directives, be recorded on tape, and that the tapes be preserved for a minimum period of six months and be made available for the purposes of dealing with inmate grievances and complaints.

Case No. 118

One complainant, who supported the idea of an outside "fact-finder", suggested that:

to avoid inmate mistreatment that cause a lot of resentment, I feel that someone the inmates trust or at least the inmate committee or a social worker, should be present at the inmate courts, whereby, a lot of inconsideration given could be reduced, and I am sure judgement passed by the judges will be much more justified. But, as it is now, it is only the Deputy Warden who passes judgement. I think too that they know what they are going to do with the inmate before the inmate is even present. Right now I hate the whole damm penal system. Just because I believe no consideration was given on my part. I am not the first one and I wouldn't be the last one. It is no wonder there has been a lot of uprising by the

inmates in the last years. They want to be heard, they want to be given consideration. But, my God, who will they turn to for a little understanding. O.K., I am doing a few years, but that doesn't mean I can be kicked around and there is nothing I can do about it. By the time I'll be out, I'll have stored up a lot of steam inside. When I get out it all comes out, and in no time I am right back in.

Case No. 5

The complainant had been charged with having concealed a large sum of money on his person when he returned from a temporary absence. On his conviction in disciplinary court, the money was ordered forfeited to the Receiver General of Canada. The inmate complained about the seizure.

Instructions from the Canadian Penitentiary Service provide for disposal of contraband and for forfeiture to the Crown if ownership cannot be established.

I suggested to the Commissioner of Penitentiaries that I had not found any authority for the lawful confiscation of money found in the circumstances described, and I questioned the authority of the Canadian Penitentiary Service to cause such forfeiture.

The Commissioner informed me that to return the money would have the most serious implications on past and future practices in penitentiaries with regard to contraband and the request for the return of the money was refused.

The inmate was advised to exhaust his legal remedies.

Other inmates complained about the loss of articles which they had been allowed to have in their cells by one officer, but which were later confiscated by another.

Recommendation

It is recommended that authority to forfeit inmate property of any kind be stipulated by statute and that statutory provisions be made for relief against forfeiture or, in the alternative, that the practice of forfeiture be discontinued.

Temporary Absence

Seventy complaints were received in this category and only nine were rectified. Much time was spent in explaining the difference between a right and a privilege. I also informed complainants that they, generally speaking, would have to demonstrate that they had been refused the privilege of a temporary absence on improper grounds before I would consider making a recommendation in an individual case.

The general rule is that an inmate must wait six months before he is eligible for a temporary absence after transfer from one institution to another. This seems to impose unnecessary hardship on the inmate who is subject to lateral transfer or who is transferred to a less secure type institution. One wonders whether some type of point system could be developed which might lessen the period of time necessary for the evaluation of the inmate in the new environment.

Case No. 573

The complainant reported that he felt he was improperly denied the opportunity to apply for a temporary absence. The complainant had been on day parole from a sentence of indefinite imprisonment as an habitual criminal. His day parole had been forfeited because of the commission of a further offence. The Commissioner's Directive on temporary absence provides *inter alia* that any inmate who has been declared by the courts to be an habitual criminal, and has been sentenced to preventive detention, shall not be granted a temporary absence for rehabilitation reasons until at least

three years after his admission to a penitentiary. I was informed that this provision was interpreted so as to apply again to the inmate's re-admission after the forfeiture of his day parole. I suggested to the classification services at the institution that the three-year period was only applicable with reference to the initial admission. The question was referred to the Departmental Counsel of the Ministry, and his opinion was that "as it is written, the three-year period is computed from the initial admission to penitentiary on the single sentence that the inmate is serving. I do not consider that occurrences such as a forfeiture of parole, or indeed the commission of any fresh offence, have any bearing upon the computation of the requisite time. It may well be, of course, that such occurrences markedly militate against any favourable decision to grant temporary absence but, as I say, technical eligibility is unaffected."

The inmate was informed of this ruling and it was explained that his being eligible for a temporary absence did not necessarily mean that one would be granted.

I understand that the directive has been referred to the Commissioner for re-consideration.

Multiple Cases

Several complainants who were serving life sentences complained about the length of time they have to wait before becoming eligible to apply for temporary absences. The Commissioner's Directive provides that persons serving life, sexual offenders and some other categories of offenders must wait three years before becoming eligible for temporary absences.

The argument of the "lifers" is that they often spend a considerable amount of time in custody before conviction and that this time does not count in reduction of the three-year waiting period. (This period is taken into consideration in respect of parole eligibility.)

Recommendation

That consideration be given to an amendment to the Commissioner's Directive to provide that time spent in custody before conviction may be included in the calculation of the waiting period required before privileges such as temporary absences are granted.

Case No. 219

Several complainants who were in a minimum institution complained that they were required to have an escort for the purpose of group temporary absences. They stated that it was difficult to have escorts provided and as they were classified minimum security inmates, their individual temporary absences were permitted without escort.

The complaint was referred to the Commissioner, who gave instructions for a change to the directive making the provision of an escort in such cases a matter of discretion.

Transfer

One hundred and seventeen complaints were received in this category. Twelve are shown as rectified. The transfers in some of the cases would have occurred anyway. This appears to be the area in which most inmates feel some dissatisfaction. They complain about being transferred and about not being transferred. The *Penitentiary Act* leaves complete discretion in the matter of transfer to the Commissioner.

Examination of files shows that inmates may have had transfers approved, but because of circumstances in the receiving region, the transfer cannot take place. Inmates are asked to be patient and sometimes have to wait for periods up to a year.

I believe there are waiting lists, but frequently these have to be disregarded because of emergencies which may be institutional, or may relate to a specific individual.

Case No. 588

The complainant was disturbed over the delay in his transfer (which had been approved) to a community centre.

The inquiry revealed that individuals whose transfers to the centre have been approved are placed on a waiting list and when a vacancy occurs, the top person on the list is transferred. The Penitentiary Service is unable to say when the transfer will take place, as it is only when a resident of the centre is granted full parole that a vacancy occurs.

The complainant was advised of the way in which transfers are made to the community centre in question.

Case No. 203

The inmate complained about not having been granted a transfer which had apparently been recommended by the Parole Board. After having unsuccessfully taken his complaint to Level III this inmate discussed his grievance with me.

I wrote to the Commissioner stating that:

...that inmate's application for parole was deferred for two years and a recommendation was made that the inmate be transferred from (a maximum institution) to (a medium institution). The Area Selection Board declined to follow the recommendation of the Parole Board.

The particular inmate has accepted the situation.

I am referring this case to you as an example of what I believe happens from time to time; namely, that the two services disagree on proposed programs for inmates. The inmate is at first hopeful, but later left confused and caught in the middle.

It is, of course, quite possible that the refusal of one agency (in this case the refusal to carry out the transfer) would have no impact on the decision of the other (deferral of parole), but I wonder whether, in

your opinion, there should be a referral back to the agency who recommended a specific program, where that program is not feasible from the point of view of the Canadian Penitentiary Service. The other cases I have seen usually involved recommendations for participation in certain programs which could not be made available.

The Commissioner provided me with a report from a senior official who had examined the problem. The official recommended that:

(a) If a NPB member wishes to tell the inmate of the program which he or she is recommending to CPS, a check should first be made with the institutional authorities as to whether there are factors which would go against the implementation of such a policy. The NPB member should also make it clear to the inmate that this is only a recommendation and that the authority for implementing it, or otherwise, rests with CPS.

(b) If it is not possible for the NPB member to make such a check, then it would be preferable that he or she not inform the inmate of the recommendation – which, however, should be made to the institutional authorities. The institutional authorities would then inform the NPB whether it is possible to act on the recommendation, and if not why.

The Commissioner indicated that he would discuss the recommendation with the Chairman of the National Parole Board.

Case No. 491

This complaint concerned an application for transfer for the purpose of pursuing an appeal of a conviction. I had read a portion of the transcript of the inmate's preliminary hearing and I thought the point made by the inmate ought to be considered by a court. Several complications had occurred because the inmate had escaped after his conviction and, while at large, his appeal to the Provincial Court of Appeal

had been dismissed without argument. Since being re-incarcerated, the inmate had made an application to the Supreme Court of Canada, which application had not yet been heard. A legal opinion was available which supported the inmate's claim that he had proceeded in a proper way in the filing of his documentation in the Supreme Court.

The problem which faced the inmate was that he was incarcerated in an institution in a province where he was unable to obtain legal aid for the purposes of going to the Supreme Court. He had received co-operation from the penitentiary in that he had been permitted to attend, with escort, at a local law library in order to research his problem. However, it was clear that the complications of his legal problem were such that he needed help from a competent lawyer.

This help appeared to be available in the province in which he had been convicted. However, that province had no institution with the type of security which the classification of the inmate demanded.

The legal problem of inmates normally have no relevance to their classification, however, a request was made to the Commissioner of Penitentiaries for a transfer in these exceptional circumstances.

A temporary transfer was approved and made on the understanding that the complainant would receive legal assistance.

Injuries and Loss of Personal Property

A total of 23 complaints were received concerning injuries or loss of personal property suffered by inmates during incarceration. Four were rectified. The injuries primarily occur as a result of industrial accidents.

The Commissioner's Directives provide that there must be an inquiry into every accident in a penitentiary. A board is usually convened and recommendations made. An inmate may, of course, start civil action to recover damages from the Crown and damages have been paid as a result of legal

action, settlement of legal action, or a demand by the inmate. Where the law officers of the Federal Government are of the opinion that the Crown is not liable, compensation has, on occasion, been paid to inmates on an *ex gratia* basis.

The greatest problem encountered by inmates in this area is the delay between the happening of the accident and inquiry, and the decision by the Federal Government as to whether compensation will be paid.

Another issue which causes me concern is that the federal law officers must take the view that they cannot, on their own initiative, encourage the payment out of public funds where no claim has been made.

During the year I got the impression that a large number of inmates suffered injuries, particularly the loss of fingers, in industrial accidents in the institutions. I also got the impression that they were generally speaking discouraged by penitentiary staff from seeking compensation for such losses. If an inmate does not pursue a valid claim for compensation, either because he is discouraged, ignorant of the procedures, or unable to obtain legal aid, he not only leaves the institution more handicapped than when he came in, but he feels bitter and frustrated as well.

I understand that an arrangement for payment of compensation to inmates for physical injuries is being developed. The scheme would provide for compensation where the injuries occur as a result of participation in an institutional program. However, this will only relieve the problem if it is made apparent to staff that the inmates have *the right* to seek compensation.

Case No. 125

The complainant was injured in August, 1973. He asked me for advice on the 6th of September, 1973, telling me that no inquiry had been held. I asked the director about this and he promised to make inquiries. I inquired again in person on the 26th of October, 1973. On the 31st of October, 1973, I had heard nothing and a follow-up letter was sent to the director. A letter from the director dated 31st October, 1973, arrived

on 2nd November, 1973. A report of an administrative inquiry held on the 20th of August, 1973, was enclosed. The report indicated that the inmate had received legal advice not to say anything at the inquiry; he was described as co-operative although he refused to give evidence.

The inquiry board recommended *inter alia* "...that compensation report regarding liabilities be followed through the normal channels until any legal complications are settled."

I assumed the question of compensation would be considered and advised the complainant that I would follow up on the matter. I advised him to be patient. On 20th February, 1974, I wrote the director, referred to the recommendation and asked whether this problem might be cleared up prior to the inmate's projected release date on 19th April, 1974.

On 27th February, 1974, I received a letter from a senior official at the penitentiary that he had been advised by Regional Headquarters "that nothing will be done unless the inmate initiates legal action through his lawyer for compensation" and that the inmate had been advised to that effect. (Legal aid in the particular province is not available in personal injury cases because the lawyers are entitled to ask for contingency fees instead.)

On 4 March, 1974, I voiced my surprise at the turn of events and asked to be advised whether the inmate's claim had been declined or whether, as a matter of policy, inmates are required to seek legal assistance to enforce claims for compensation in all cases. I added that if the latter is the case, I would have to advise inmates to seek legal remedies at the first opportunity.

On 8th March, 1974, I informed Canadian Penitentiary Service headquarters in Ottawa of the complaint and I also suggested to the complainant that he write a letter claiming compensation, directly to the Commissioner.

On the 13th of March, 1974, I received a letter from the Regional Headquarters in which I was advised that "there is nothing in the correspondence or the advice given to indicate that an inmate need necessarily obtain legal counsel but simply that the inmate should put forward a claim on his own initiative."

It was suggested that I discuss the policy with a specified Canadian Penitentiary Service headquarters official.

On the 19th of March, 1974, I reported the history of the complaint to this official and requested that consideration be given to this inmate's claim for compensation. On 19th March, 1974, I was also advised by the inmate that institutional authorities had instructed the inmate to have a lawyer write a letter for him to Ottawa and to write a letter of his own as well. The inmate advised me in a letter dated 19th March, 1974, that he had written to the Commissioner. A follow-up was sent to the Canadian Penitentiary Service headquarters from this office on the 29th of May, 1974.

At the end of June, 1974 no reply was received, although I have been told that claims for compensation are "behind". The complaint is still pending. Similar delays appear in claims concerning loss of personal property.

Case No. 419

This complaint concerned personal property lost in transit. On June 25th, 1973 the inmate was advised in respect of his missing effects that, his letter dated June 20th, 1973 was received and. . .

enclosed please find photostat of our receipt of your effects which were shipped at the time of your transfer. Underlined are the specific items which you had mentioned in your letter that were short. As you can see, they were shipped. No mention is made of your lighter. . . I am sure if you check with the Officer I/C Admitting and Discharge at that end, your problem will be solved.

On the 26th of September, 1973, the administrator of the discharging institution wrote to the director of the receiving institution with reference to his previous letter stating that

as may be noted from the inmate's personal file there already has been considerable correspondence in regard to the missing items. It has been ascertained here that there is no doubt that all his effects, including the items claimed missing, were shipped

from here – where they went, their present whereabouts is unknown to us and we can shed no further light on this matter.

Then it was suggested that “you contact the inmate and inform him that we can be of no further assistance in this regard.”

On October 17th, 1973, the administrator in the receiving institution wrote to the transmitting institution referring to the letter dated 29th September, 1973. He stated *inter alia* that “the complainant was interviewed and is apparently not yet satisfied that everything possible to find the missing articles that you claim were shipped from your institution has been done.”

Information was requested as to the date of shipping, method of shipping – rail, road, post, etc. – in order that inquiries might be pursued.

The inmate complained to me in an interview on the 5th of February, 1974, and advised me that he had been told that the maximum amount of compensation he might receive would be that for which the articles were insured. The items lost were said to be four or five times the value of the insurance.

On the 22nd of February, 1974, I wrote to the administrator at the receiving institution, outlining my doubt that the limit of the Crown’s liability would be that of the amount of insurance and I asked for assistance in this matter.

On the 1st of March, 1974, I was advised that a further board of inquiry was convened at the beginning of February and that the recommendations of the board were that further investigation be carried out and that a request be submitted to the person in charge of stores at the region to see if the goods were received. I was told I would be kept informed of all future developments of the case. On the 8th of March, 1974, I acknowledged this letter and repeated the question concerning the proposed limit of liability. On the 29th of April, 1974, and again on the 6th of June, 1974, this request was repeated.

On 25 June, 1974, a telex was received promising a report.

This complainant may have a legal remedy. I, however, know of no lawyer who could afford to go to the penitentiary, interview the inmate, prepare pleadings and possibly go to court over a claim which is for less than \$500.

The case is pending.

Case No. 63

This complainant outlined his complaint in the following way:

Upon entry (to the penitentiary) I was told to put all my valuables and other items on the table or counter and the guard placed all my envelopes in a little box. The guard told me to sit down for a minute and for me to take off my shoes and socks. When I did that he called me back up to the counter where he had the box of my items and also, he had a piece of paper that he had all my items marked on. Then he told me to sign my name that they received the items. So I did. He told me to sign another, that I received them. So I did. But I did not get it then. He took the box and put it on his desk. He said I have to fingerprint you first and then after that I changed my clothes and got a robe and got weighed. Then he told me to go around the corner and sit there. So I did, but I still did not have my items that were in my box. I sat there from 11:00 am to 2:00 pm. Then I got a haircut and a shower. I put my clothes on that they gave me and sat down. At 2:30 pm a guard called me and told me that I was going to be going so I better get my items. First I took my letters out and my sunglasses. Then the guard said my watch is gone. They said they did not know who took it because there was people coming in and out of there all the time. But my watch was on his desk behind the counter so that means they would have to open the door to get behind the counter...

The inmate tried for close to a year to have something done about his claim. A perusal of the file showed that the institution had gone to considerable pains to find the missing watch and in September of 1973 the inmate had been advised that the institutional authority regretted the loss but felt

they had taken all possible steps to assist the inmate. I suggested to the Commissioner that it appeared that the deposit of the watch with the correctional officer while the inmate was fingerprinted and showered was made in response to a demand and I suggested that if those circumstances were correct, the Canadian Penitentiary Service might be liable for the loss without qualification. I also stated that I had certain doubts as to the validity of a release form given under the circumstances described by the complainant.

The Commissioner agreed and the inmate accepted a sum of money as compensation for the loss of the watch.

Recommendation

That a specific individual, preferably with legal training, be employed by the Canadian Penitentiary Service and be charged with examining, adjusting and making recommendations for disposition of inmate claims for injuries and loss of personal property.

Recommendation

That instructions be given to all institutions to report on all injuries and all claims for loss of personal property to this specific individual and that such reports be given within a specific limited time.

Medical

Sixty-one complaints were received in this category, 13 were rectified.

General complaints about non-availability of doctors were frequent and difficult to deal with. Specific complaints were generally discussed with the doctor in question or with the Director of Medical Services at the headquarters of the Canadian Penitentiary Service. I am grateful for the

patience which the doctors showed with my ignorance of medical matters and I believe some complainants benefitted from the communication between the medical services and this office.

Most of the cases which are shown as rectified are those where the inmate had encountered difficulties in obtaining medical help.

Case No. 354

An inmate complained that the institutional physician had refused permission for the inmate to have a fairly simple, but elective, operation.

During the interview the inmate gave non-medical reasons for wanting the operation. I discussed the case with the director of the institution who arranged for an interview of the inmate by a psychiatrist. Permission for the surgery was granted.

Educational Programs

Nine complaints were received in this category, two were rectified. The complaints were, generally speaking, about out-dated teaching aids, lack of material and refusal of permission to take courses.

Case No. 95

The complaint concerned an inmate who is confined to a wheelchair and it originated with a letter from an association concerned with such persons.

The association urged that the inmate receive better medical treatment.

The inmate was later transferred to a hospital where he was held with other inmates who came in for short-term medical treatment. The inmate then complained personally

that because of his unique circumstances, no vocational programs were available for him.

I contacted the director about this problem and was subsequently provided with minutes of a case conference which was called at the instance of another voluntary organization.

It appears that other accommodation will be considered and that vocational training will be provided.

Visits and Correspondence

Forty-four complaints were received in this category. Only three specific cases were rectified. However, a number of inmates at one institution complained bitterly about the xeroxing of all their mail. These complaints were all rectified and it is to be hoped the problem will not recur. (See Case No. III)

Inmates have also complained that mail is sometimes returned to the sender without any notice to the inmate. This may happen if the inmate is transferred and the mail instead of being forwarded to the inmate at the new institution, is returned to the sender, or it may happen if the incoming correspondence is considered undesirable from the point of view of the Canadian Penitentiary Service. It would appear possible that this type of embarrassment could be avoided.

Case No. 259

This complainant objected – as did many other inmates – to the examination by penitentiary staff of his correspondence with a solicitor whom he had retained to act for him.

At the time of the receipt of this complaint I had already suggested to the Commissioner that correspondence between an inmate and his solicitor ought not to be subject to inspection.

The particular inmate chose to bring his complaint before the courts.

I understand this question is under review by the Canadian Penitentiary Service.

Case No. 111

The complainant told me that copies of every incoming and outgoing letter of his mail were placed on his institutional file, and from time to time copies came into unauthorized hands.

An investigation showed that his file, which was 3 1/2 inches thick, was mostly composed of copies of his correspondence. Further investigation revealed that practically all inmate correspondence at the particular institution was xeroxed and placed on file as a matter of routine.

I suggested to the Commissioner that this routine practice was unnecessary and he responded by ordering an extensive review of the operation with regard to censoring and xeroxing of incoming and outgoing inmate mail. In due course he issued a directive to all institutions to discontinue the practice of reading and xeroxing all inmate correspondence as a matter of routine. He directed that inmate mail should be read on an assigned basis only, and that it must be justified on an individual basis. Furthermore, he asked that all files be purged of copies of personal and superfluous inmate correspondence.

Case No. 289

The complainant sent me a letter which he had addressed to a "lonely hearts" club. He also enclosed a slip from the Visiting and Correspondence Officer which states that such correspondence was not allowed.

The Commissioner's directive permits correspondence which assists in the inmate's rehabilitation and it does not specifically prohibit correspondence with agencies such as the one in question. I suggested to the Commissioner that such correspondence — provided there was initial disclosure of the

fact of incarceration – might well assist in the inmate's rehabilitation.

The Commissioner agreed.

Bilingualism

Five complaints were received in this category, one has been rectified. The Commissioner has been informed that the complaints arise from the fact that individuals working in the Canadian Penitentiary Service who are classified unilingual (although they may have the ability to speak both languages) refuse to speak to inmates in the other language. The unilingual inmates experience great difficulties in institutions where they do not understand the orders and announcements.

Racial Discrimination

Nine complaints were received in this category, none have been rectified.

I have not yet completed an investigation of a complaint of racial discrimination. Complaints such as one that the individual does not receive the same number of temporary absences as others because he is black, are extremely difficult to deal with.

One complaint, which is pending, concerns an allegation that white inmates object to a black inmate being employed as a cook.

Complaints of racial discrimination against native people of Canada mostly refer to treatment during arrest and trial, and education and employment opportunities.

I had the pleasure of attending a two day Native Brotherhood meeting at an institution, and received some useful insight into the unique problems of Canada's native inmates.

Case No. 66

At the request of the Solicitor General, I investigated certain allegations of discrimination against French-Canadian inmates at the Prison for Women. A questionnaire, prepared in both languages, was addressed to each inmate in the institution asking them where they would prefer to serve their sentence, if the choice were available. One hundred and sixty questionnaires were provided and one hundred and twenty-seven replies were received. Of these, one was bilingual, seven were written in French and the balance in English. The majority of the women preferred to serve their sentence in a place closer to their homes, provided the standards were the same as those in the federal institution. None of the French-Canadian women complained about prejudice, but four of them expressed a desire to be in a French-speaking environment.

In addition, I examined every tenth file from an alphabetical list and read the material on file. No derogatory remarks about inmates concerning their racial origin or language were found. Members of the staff were interviewed in addition, as were all the French-Canadian inmates.

Four staff members at the Kingston Prison for Women at the time were bilingual. Other staff members said they were willing to go on French course, but as there was no backup staff this had not been possible.

There is no doubt that programs for French-Canadian inmates are lacking at the Prison for Women.

I eventually concluded that I had found no evidence that staff or inmates at the Prison for Women discriminate against those among them who are French-Canadian.

Financial Matters

Many inmates complained that the pay of inmates does not keep up with the cost of canteen items. A total of seven specific complaints were received in this category, and one, Case No. 593, it is expected will be rectified. However, the administrative burden of changing the system is large, and the Commissioner has ordered a review of the policy in this area.

Other complaints were that inmates in dissociation are required to contribute to the Inmate Welfare Fund, but that they receive none or few of the benefits provided from the fund (movies, games, coffee for visitors, etc.)

Case No. 593

Just before the end of the year a general complaint was received from an inmate committee and a specific complaint from an inmate regarding inmate funds. The complaints arise from Canadian Penitentiary Service Regulation 2.22 which *inter alia* provides that all monies that are received on an inmate's behalf while he is in custody, shall be deposited to the Inmate Trust Fund.

I understand that it is the general practice that inmates who receive cheques or money orders are required to endorse them so that they may be placed in the Inmate Trust Fund. Interest earned on the Inmate Trust Fund is given to the Inmate Welfare Fund.

The complaint is that an inmate loses the earning power of the money.

The specific complaint concerned monthly payments from a private insurance company.

I referred the complaint to the Commissioner, suggesting that the inmate who has no one who can divert his funds before they come to the institution, is made to bear the larger burden of contributions to the Inmate Welfare Fund.

I asked whether a more equitable system could be created.

The Commissioner assured me that this situation would be rectified.

Recommendation

That inmates be permitted to invest their funds and compulsory savings in specified securities or savings accounts in their own names.

Information on File

Sixteen complaints were received concerning "information on file". One was rectified.

Inmates are not, generally speaking, permitted to see their file and anxiety and speculation are commonplace. The "information on file" has great impact on the granting of temporary absences, transfers and parole.

My attitude to the problems surrounding "information on file" is dealt with in Case No. 13 which follows.

It is apparent from examining files on inmates that staff take the blame when they should not. For instance, an inmate may be refused a temporary absence because his family does not want him. But the family also asks the Canadian Penitentiary Service not to disclose their unwillingness to receive a visit. I think the inmate is entitled to know the truth; he will find out eventually.

Case No. 13

The complainant, through his lawyer, objected to information kept on file by the Canadian Penitentiary Service, alleging that he had committed a serious criminal offence. The inmate had not been accused or found guilty of the offence, either in disciplinary court or in ordinary criminal court.

I was prepared to hold an inquiry, but indicated to the inmate's lawyer that unless it could be shown that the

Canadian Penitentiary Service had treated the allegation *as fact*, or the inmate could demonstrate his innocence, there was little I could do.

Although the individual concerned was practically placed in the position of having to prove his innocence, I do not think it proper to criticize the Canadian Penitentiary Service for keeping allegations of this kind on record. I believe an administrator is entitled to keep this type of information on file and may in fact be under an obligation to do this; its use being subject to the laws on libel and slander.

Case No. 180

The inmate complained that his institutional file described him as being a heavy drinker. A search of his file produced an application form on which the inmate had stated "I know alcohol is my problem."

The complainant's reaction was quick, when told, he laughed and said: "Well, no wonder."

The complaint was declined as not justified.

Conditions

This category contains the complaints which could not easily fit into any of the specific categories. One-hundred-and-eighteen complaints were listed under "conditions". Another review of the categories will be made in future to see if certain types of complaints re-occur with sufficient frequency to warrant a special group or whether for other reasons a specific type of complaint should be singled out for comment.

Multiple Cases

During the year many inmates complained that the portions of the Commissioner's directives which apply directly to the inmates were not available to them. These are supposed to be available in the libraries of the institutions.

Difficulties arise because portions or all of the directives tend to disappear. Furthermore, these directives are impossible to obtain for persons in dissociation. The Canadian Penitentiary Service, at the end of May, 1974, took a step which should resolve this problem. The Chairman of an inmate committee is now entitled to have a copy of the portion known as series 200 of the directives, and will become responsible for keeping these up to date and turn them over to his successor.

Case No. 136

The complainant objected to movies having been taken of inmates without their consent. According to directives, no pictures or movies are to be taken of inmates without their specific consent. The director had assured the inmate that only the feet of inmates were to be shown in the finished product unless consent to show the inmate's features had been obtained.

I contacted the producer and received assurance in writing that only feet would be shown. A copy of the letter was provided to the inmate.

Case No. 437

This complainant and others, in general conversation, complained about comments on a radio hot-line show. They stated that names and particulars about inmates and parolees were broadcast to their detriment. I advised these complainants that if the information given were a matter of public record, there was nothing I could do. However, I added that I would investigate any leak of information from penitentiary files. For that purpose I asked inmates to

contact me immediately after a similar broadcast so that I could obtain a transcript of what was said. Radio stations are required to keep tapes only for four weeks and I was unable to obtain tapes of the broadcast on which the original complaint was based.

I have had no further communication on the subject.

Case No. 58

The inmate complained that he had been refused contact with the Legal Aid Society to secure representation in court. Investigations showed that the inmate was in fact represented by counsel in court and the complaint was listed as not justified.

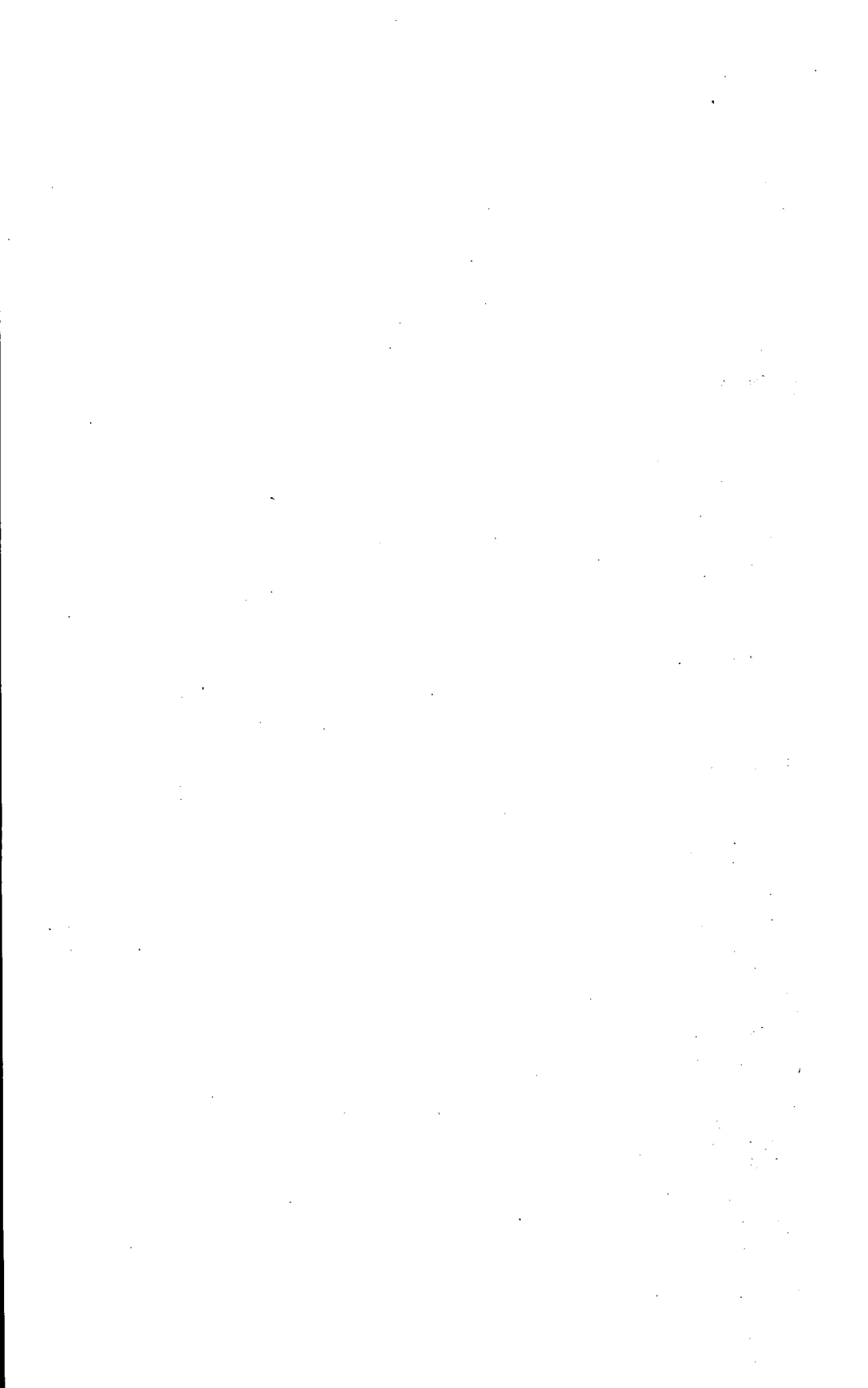
Case No. 134

The complainant reported that he had been prevented from obtaining vitamin pills and that these pills were essential for him as he was a vegetarian. The matter was referred to the director and immediately rectified.

Food

The food in Canadian penitentiaries is good but not cordon bleu. I am told the average cost per inmate per day is \$1.40. Several complaints were made by inmates in dissatisfaction about the food being left on the trays too long and getting cold. This also happens in institutions where meals are brought some distance from the kitchen. These complaints are justified.

Vegetarians and inmates with particular dietary problems such as diabetes, ulcers and those who abide by religious prohibitions, do have difficulties. One case is under investigation, another was resolved.



CONCLUDING NOTES

"Failures are news, successes are not." "You can't give them (the inmates) back their childhood." "The public does not understand." "The public wants simplistic solutions – at either extreme." "If you propose programs you are accused of pampering the inmates, if you discipline them you are accused of brutality." "You can't win." "Penitentiaries are the lowest priority on the list of government expenditures." "Society will only tolerate so much in the way of reform."

These are typical remarks made by persons working in the correctional field. There are also complaints about shortages of staff, the length of time it takes to fill vacant positions and the rapid change-over in staff.

Correctional work is not easy. Penitentiaries are noisy, bleak and sometimes tense places of work. It is often difficult to show results to justify the high costs of operation. As this report deals with complaints there is little in the way of compliments to the Canadian Penitentiary Service. However, I do wish to state that I think the vast majority of the 6,305 penitentiary employees are dedicated and keenly interested in their work.

I should also like to express my appreciation for the willing co-operation which was extended to me. As stated, I was permitted access everywhere and if occasionally with some hesitation, it was apparently out of concern for my safety or the rights to privacy of the inmates.


I have had little time to study general issues which, in my view, require investigation. I have had no time for unannounced visits which I consider important to the work of the Correctional Investigator. As a matter of fact, I often did not give much advance warning to the institution of my arrival as I could not always see those who wanted interviews without having written to me about their complaints. If I was unable to interview all those who asked, I mailed a letter explaining our functions, enclosing a stamped addressed

envelope. The month of November shows twenty-three complaints from the Dorchester institution. This was a visit where I had announced my arrival in advance and agreed to see everyone.

I have not had adequate time to keep myself informed of the growing literature on the subject of correctional ombudsmen across the world. This again, I think, is essential.

It is to be hoped that the addition of three complaint officers in the coming year will remedy some of these shortcomings and in general, improve the quality of the services of the Correctional Investigator.

All of which is respectfully submitted.

A handwritten signature in cursive script, reading "Inger Hansen". The signature is written in dark ink and is centered on the page.

Correctional Investigator

RECOMMENDATIONS

Recommendation (1)

That the relevant acts be amended to permit all persons under sentence equal opportunity to earn remission regardless of place of incarceration.

Recommendation (2)

That the Commissioner's Directive be amended to provide that time spent in custody after conviction regardless of place of incarceration be taken into consideration in respect of time required to be served before being eligible for temporary absence.

Recommendation (3)

That the automatic loss of statutory remission on conviction for escape and related offences be abolished.

Recommendation (4)

That a special study of the use of dissociation in Canadian penitentiaries be made to determine: a) whether it is useful as punishment; b) whether it is the most efficient way of providing protection to certain inmates; c) whether some or all dissociated inmates could be detained in

other small structures which provide adequate security; but outside the main institution.

Recommendation (5)

That the requisite number of persons be appointed whose only duty would be to preside over disciplinary hearings to make findings of guilt or innocence of inmates who have been charged with a flagrant or serious offence as defined in the Commissioner's Directives. Decision on punishment might be left or shared with the institutional authorities.

Recommendation (6)

That authority to forfeit inmate property of any kind be stipulated by statute and that statutory provisions be made for relief against forfeiture or, in the alternative, that the practice of forfeiture be discontinued.

Recommendation (7)

That consideration be given to an amendment to the Commissioner's Directive to provide that time spent in custody before conviction may be included in the calculation of the waiting period required before privileges such as temporary absence are granted.

Recommendation (8)

That a specific individual, preferably with legal training, be employed by the Canadian Penitentiary Service and be charged with examining, adjusting and making recommendations for

disposition of inmate claims for injuries and loss of personal property.

Recommendation (9)

That instructions be given to all institutions to report on all injuries and all claims for loss of personal property to this specific individual and that such reports be given within a specific limited time.

Recommendation (10)

That inmates be permitted to invest their funds and compulsory savings in specified securities or savings accounts in their own names.

APPENDICES

Appendix A

P.C. 1973-1431



PRIVY COUNCIL

Certified to be a true copy of a Minute of a Meeting of the Committee
of the Privy Council, approved by His Excellency the Governor
General on the 5 June, 1973

The Committee of the Privy Council, on the recommendation of the Solicitor General, advise that, pursuant to Part II of the Inquiries Act, authority be granted to the Solicitor General to appoint Miss Inger Hansen, of the City of Ottawa, as a Commissioner, to be known as the Correctional Investigator, to investigate, on her own initiative or on complaint from or on behalf of inmates as defined in the Penitentiary Act, and report upon problems of inmates that come within the responsibility of the Solicitor General, other than problems raised on complaint

- (a) concerning any subject matter or condition that ceased to exist or to be the subject of complaint more than one year before the lodging of the complaint with the Commissioner, or
 - (b) where the person complaining has not, in the opinion of the Commissioner, taken all reasonable steps to exhaust available legal or administrative remedies,
- and the Commissioner need not investigate if
- (c) the subject matter of a complaint has previously been investigated, or
 - (d) in the opinion of the Commissioner, a person complaining has no valid interest in the matter.

The Committee further advise that a Commission do issue to the said Commissioner, and

1. that the Commissioner be appointed for a period of one year effective June 18, 1973;
2. that the Commissioner be paid a salary within the range from time to time authorized for a Senior Executive 2, at a rate to be fixed by the Governor in Council;
3. that the Commissioner be authorized to engage, with the concurrence of the Solicitor General, the services

P.C. 1973-1431

- 2 -

- of such experts and other persons as are referred to in section 11 of the Inquiries Act, who shall receive such remuneration and reimbursement as may be approved by the Treasury Board; and
4. that the Commissioner shall submit an annual report to the Solicitor General regarding problems investigated and action taken.

The Committee further advise that authority be granted to the Solicitor General to reappoint the said Commissioner for the purposes and upon the terms and conditions set out herein for a further period of one year.

CERTIFIED TO BE A TRUE COPY - COPIE CERTIFIÉE CONFORME



CLERK OF THE PRIVY COUNCIL - LE GREFFIER DU CONSEIL PRIVÉ

Appendix B

SOLICITOR GENERAL



SOLLICITEUR GENERAL

The Solicitor General, pursuant to Part II of the Inquiries Act and Order in Council P.C. 1973-1431 of 5 June, 1973, is pleased hereby to direct that a Commission do issue appointing Miss Inger Hansen, of the City of Ottawa, in the province of Ontario, a Commissioner under Part II of the Inquiries Act to investigate, on her own initiative or on complaint from or on behalf of inmates as defined in the Penitentiary Act, and report upon problems of inmates that come within the responsibility of the Solicitor General, other than problems raised on complaint

- (a) concerning any subject matter or condition that ceased to exist or to be the subject of complaint more than one year before the lodging of the complaint with the Commissioner, or
- (b) where the person complaining has not, in the opinion of the Commissioner, taken all reasonable steps to exhaust available legal or administrative remedies,

and the Commissioner need not investigate if

- (c) the subject matter of a complaint has previously been investigated, or
- (d) in the opinion of the Commissioner, a person complaining has no valid interest in the matter.

The Solicitor General is further pleased to direct that the said Commission shall confer upon the said Commissioner the rights, powers and privileges authorized by the said Order.

Dated at Ottawa this 7th day of June, 1973.

U.W. Allmond

Solicitor General



Appendix C

CANADIAN PENITENTIARY SERVICE



SERVICE CANADIEN DES PÉNITENCIERS

OTTAWA ONT.
K1A 0P9

December 10, 1973

le 10 décembre 1973

Reference: 143(1)

Référence: 143(1)

To All Holders of
C.D. and D.I. Manuals

A tous les détenteurs des
Manuels de D.C. et d'I.D.

Commissioner's Directive
No. 241

Directive du Commissaire
N^o 241

Inmate Grievance Procedure

Règlement des griefs des
détenus

Please destroy C.D. No. 241,
dated August 30, 1973, and
replace by the enclosed one,
dated December 10, 1973.

Veillez détruire la D.C. N^o
241, en date du 30 août 1973
et la remplacer par celle ci-
incluse, en date du 10 décembre
1973.

Commissioner,

le Commissaire,

A handwritten signature in black ink, appearing to read "P.A. Faguy".

P.A. Faguy.

CANADIAN PENITENTIARY SERVICE
 SERVICE CANADIEN DES PÉNITENCIERS

December 10, 1973

le 10 décembre 1973

COMMISSIONER'S DIRECTIVE
 NO. 241

DIRECTIVE DU COMMISSAIRE
 N° 241

Inmate Grievance
 Procedures

Règlement des griefs
 des détenus

1. AUTHORITY

Section 29(3) Penitentiary Act.

1. AUTORISATION

Article 29(3) de la Loi sur les pénitenciers.

2. PURPOSE

To establish a formal grievance procedure for inmates while under the jurisdiction of the Canadian Penitentiary Service. Inmates shall be entitled to present grievances in instances where it is felt that they are not treated humanely and justly in accordance with the rules, regulations, directives, acts and other administrative procedures established for the maintenance of good order and discipline in the institution or for the best interest of inmates.

2. OBJET

Établir le mode officiel de règlement des griefs des détenus qui sont sous l'autorité judiciaire du Service canadien des pénitenciers. Les détenus peuvent présenter des griefs lorsqu'ils estiment qu'ils ne sont pas traités humainement et justement, compte tenu des règlements, des directives, des lois et autres lignes de conduite administratives qui ont été établis dans le meilleur intérêt du détenu ou afin de faire respecter l'ordre et la discipline à l'institution.

3. DEFINITIONS

In this directive:

- a. "Complaint" is an oral expression of any problem that relates to an inmate, his or her conditions of incarceration, or the administration of rules and regulations that come under the jurisdiction of the Canadian Penitentiary Service.

3. DÉFINITIONS

Dans la présente directive:

- a. "Plainte" désigne l'expression orale de tout problème qui se rapporte à un(e) détenu(e), à ses conditions d'incarcération, ou à l'application des règles et des règlements du Service canadien des pénitenciers.

C.D. 241

D.C. 241

- 2 -

b. "Grievance" is a complaint in writing which relates to the inmate, his or her conditions of incarceration, or the administration of rules and regulations that come under the jurisdiction of the Canadian Penitentiary Service.

b. "Grief" désigne une plainte qui est formulée par écrit et se rapporte à un(e) détenu(e), ses conditions d'incarcération, ou à l'application des règles et des règlements du Service canadien des pénitenciers.

4. DIRECTIVE

a. Before an inmate presents a grievance, he or she shall attempt to have it resolved as a complaint. Complaints shall be dealt with by the inmate's immediate supervisor or living unit officer, and, where necessary, referral may be made to the appropriate staff member. If a complaint is not satisfactorily resolved, the responsible officer shall inform the inmate of his or her right to complete a grievance form (Annex "A").

b. All inmates confined within the system shall have access to the grievance procedures. The results of an investigation of a grievance shall be made known to the inmate in writing as soon as possible but no later than 5 working days at the first grievance level, 10 working days at the second level, and 15 working days at the third level, from the date of receipt of the grievance.

4. DIRECTIVE

a. Avant de présenter un grief, le (la) détenu(e) doit tenter de le résoudre en formulant une plainte. Les plaintes doivent être soumises au surveillant immédiat du détenu ou à l'agent d'unité résidentielle, et, si nécessaire, soumise au membre du personnel compétent. Si une plainte n'est pas réglée de façon satisfaisante, l'agent responsable doit informer le (la) détenu(e) qu'il (elle) a le droit de remplir une formule de grief (Annexe "A").

b. Toutes les personnes détenues dans des institutions pénitentiaires peuvent présenter des griefs. Les résultats d'une enquête relative à un grief doivent être communiqués par écrit au détenu le plus tôt possible et au plus tard 5 jours ouvrables après la date de réception du grief pour ce qui est du premier palier; au deuxième et au troisième paliers, les délais sont, respectivement, de 10 et de 15 jours ouvrables.

CANADIAN PENITENTIARY SERVICE



SERVICE CANADIEN DES PÉNITENCIERS

OTTAWA ONT.
K1A 0P9Reference: 623(1)
656(1)Réf rence: 623(1)
656(1)To All Holders of
C.D. and D.I. ManualsAux d tenteurs de
Manuels de D.C. et d'I.D.

June 14, 1974

le 14 juin 1974

Amendment

Modification

COMMISSIONER'S DIRECTIVE
No. 241DIRECTIVE DU COMMISSAIRE
N  241Inmate Grievance
ProceduresR glements des griefs
des d tenus

1. The following sentence is to be added to subparagraph 4e. of Commissioner's Directive No. 241, dated December 10, 1973:

"Where the officer designated in 4d. above is not completely conversant with the official language in which the grievance is presented, he shall assign the matter to the most senior officer on his staff, conversant with that language, who shall make the decision."

2. Please amend your manuals accordingly.

Commissioner,

1. La phrase suivante doit  tre ajout e au sous-paragraphe 4e. de la directive du Commissaire n  241, en date du 10 d cembre 1973:

"Dans le cas o  l'officier d sign  dans 4d. ci-dessus n'est pas compl tement vers  dans la langue officielle dans laquelle le grief est pr sent , il doit assigner le cas   l'officier de son personnel qui a le plus de s niorit  et qui est le plus vers  dans cette langue et ce dernier prendra la d cision."

2. Veuillez modifier vos manuels en cons quence.

le Commissaire,

F. A. Faguy.

C.D. 241

D.C. 241

- 3 -

- c. If an inmate is not satisfied with the decision received at any level, or if he does not receive a decision within the prescribed time limit for each level, he may refer the grievance to the next level within 5 working days. If the inmate fails to observe this time limit, the authorities are entitled to treat the grievance as having been abandoned.
- d. The following are the levels in the grievance procedures.
- (1) Level I
- The Director of the institution.
- (2) Level II
- The Regional Director. However, for the Atlantic Region, the Director of Occupational and Social Development at Headquarters in Ottawa shall represent Level II.
- (3) Level III
- The Commissioner of Penitentiaries shall be the reviewing authority for grievances at the third level.
- "Where the officer designated in 4d. above is not completely conversant with the official language in which the grievance is presented, he shall assign the matter to the most senior officer on his staff, conversant with that language, who shall make the decision."
- c. Si le détenu n'est pas satisfait de la décision rendue à l'un ou l'autre des paliers, ou si aucune décision n'est rendue dans la limite de temps prescrite pour chaque palier, il peut soumettre le grief au palier suivant dans les 5 jours ouvrables qui suivent l'expiration de la période prescrite. Si le détenu ne respecte pas ce délai, les autorités peuvent considérer que le grief a été abandonné.
- d. Voici les divers paliers de règlement des griefs:
- (1) 1er palier
- Le Directeur de l'institution.
- (2) IIe palier
- Le Directeur régional. Cependant, pour ce qui est de la région de l'Atlantique, le Directeur du développement occupationnel et social à l'Administration centrale représentera le IIe palier.
- (3) IIIe palier
- Le Commissaire des pénitenciers examinera les griefs au IIIe palier.
- e "Dans le cas où l'officier désigné dans 4d. ci-dessus n'est pas complètement versé dans la langue officielle dans laquelle le grief est présenté, il doit assigner le cas à l'officier de son personnel qui a le plus de séniorité et qui est le plus versé dans cette langue et ce dernier prendra la décision."

(Revised January 17, 1974)

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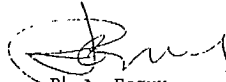
(Révisée le 17 janvier 1974)

f. Inmates should normally use the foregoing procedures before presenting a grievance to the Federal Correctional Investigator, although there may be instances where this may be unreasonable or impractical, and direct referral of a grievance to the Federal Correctional Investigator more appropriate. In following the foregoing procedures, inmates will, generally speaking, have exhausted administrative remedies for their grievances.

f. Avant de présenter un grief à l'enquêteur correctionnel fédéral, les détenus devraient normalement recourir à la marche à suivre susmentionnée bien que, en certains cas, elle puisse être déraisonnable ou impraticable et qu'il soit alors mieux indiqué d'adresser le grief directement à l'enquêteur correctionnel fédéral. En se conformant à cette marche à suivre, les détenus auront, de façon générale, épuisé les recours administratifs pour soumettre leurs griefs.

Commissioner,

le Commissaire,



P. A. Faguy.

GRIEVANCE PRESENTATION
CANADIAN PENITENTIARY SERVICE

Annex "A"
C.D. 241
(Revised November 20,
1973)

A: INMATE NO: SURNAME:
INSTITUTION: GIVEN NAMES:

B: DETAILS OF GRIEVANCE:

C: CORRECTIVE ACTION REQUESTED:

DATE:

SIGNATURE OF INMATE

LEVEL I

REMARKS:

DECISION:

DATE:

SIGNATURE OF INSTITUTIONAL DIRECTOR

- 2 -

I TRANSMIT MY GRIEVANCE TO LEVEL II

DATE:

SIGNATURE OF INMATE

LEVEL II

REMARKS:

DECISION:

DATE:

SIGNATURE OF REGIONAL DIRECTOR

I TRANSMIT MY GRIEVANCE TO LEVEL III

DATE:

SIGNATURE OF INMATE

LEVEL III

REMARKS:

DECISION:

DATE:

SIGNATURE OF COMMISSIONER

Annex "B"

C.D. 241

(February 5, 1974)

List of names and addresses
of persons responsible for
Grievance Procedures at
Levels 2 and 3

Level II

- for: Western Region: Mr. J. Murphy,
Regional Director,
P.O. Box 10058,
Pacific Centre Ltd.,
700 West Georgia Street,
Vancouver 1, British Columbia.
- for: Ontario Region: Mr. J. Moloney,
Regional Director,
P.O. Box 1174,
Kingston, Ontario,
K7L 4Y8.
- for: Quebec Region: Mr. J. C. A. LaFerriere,
Regional Director,
5486 Blvd. Levesque,
Ville de Laval,
Quebec.
- for: Atlantic Region: Mr. H. F. Smith,
Director,
Occupational and Social Development,
Canadian Penitentiary Service,
340 Laurier St., W.,
Ottawa, Ontario,
K1A 0P9.

Level III

Mr. Paul Faguy,
Commissioner of Penitentiaries,
340 Laurier St., W.,
Ottawa, Ontario,
K1A 0P9.



Appendix D Summary of Complaints

RESUMÉ OF COMPLAINTS
1 JUNE 1973 TO 1 JUNE 1974

NO.	SUBJECT	ACTION
1-WR1-3	a) Parole b) Sentence administration	a) No jurisdiction b) General recommendation
2-WR4-3	Temporary absence	No immediate action required
3-QR8-3	Court decision	No jurisdiction
4-OR13-3	a) Parole b) Provincial matter	a) No jurisdiction b) No jurisdiction
5-WR12-3	Financial matters	General recommendation
6-WR4-3	Conditions	No immediate action required
7-OR-3	Conditions	No immediate action required
8-WR9-3	Court decisions	No jurisdiction
9-OR13-3	a) Transfer b) Visiting privileges	a) Premature b) Premature
10-WR1-3	Conditions	Premature
11-OR10-3	a) Compensation (personal property) b) Discipline	a) Pending b) Pending
12-WR12-3	Transfer	Rectified
13-WR16-3	Information on file	Not justified
14-MR1-3	a) Parole b) Temporary absence c) Visits	a) No jurisdiction b) Premature c) Premature
15-OR5-3	a) Visits b) Temporary absence c) Transfer	a) Information given b) Information given c) Information given
16-WR12-3	Court procedures	No jurisdiction
17-OR5-3	a) Conditions b) Temporary absence	a) No immediate action required b) Rectified

NO.	SUBJECT	ACTION
18-OR-3	a) Court decision b) Parole	a) No jurisdiction b) No jurisdiction
19-WR12-3	Parole	No jurisdiction
20-WR15-3	Sentence administration	No immediate action required
21-OR13-3	Disciplinary procedures	Not justified
22-OR5-3	a) Conditions b) Temporary absence	a) Rectified b) Explanations given
23-OR8-3	Education	Premature
24-OR-3	Parole	No jurisdiction
25-OR13-3	Court proceeding	No jurisdiction
26-WR4-3	Dissociation	Premature
27-WR4-3	Dissociation	Premature
28-WR14-3	Parole	No jurisdiction
29-WR12-3	Transfer	Rectified
30-WR11-3	Education	Not justified
31-WR-3	Provincial matter	Referral
32-WR12-3	Provincial matter	No jurisdiction
33-WR12-3	Parole	No jurisdiction
34-OR3-3	a) Dissociation b) Transfer	a) General recommendation b) Premature
35-MR1-3	Education	Rectified
36-OR3-3	Correspondence	General recommendation (Rectified in part)
37-WR15-3	a) Parole b) Conditions	a) No jurisdiction b) Pending
38-WR4-3	Visits	Premature
39-OR13-3	Transfer	Not justified
40-OR7-3	Conditions	Premature

NO	SUBJECT	ACTION
41-OR13-3	Transfer	Not justified
42-MR1-3	Temporary absence	Not justified
43-QR12-3	a) Dissociation b) Medical	a) General recommendation b) Rectified
44-WR1-3	a) Provincial matter b) Court procedures	a) No jurisdiction b) Referral
45-QR11-3	a) Court decision b) Medical	a) No jurisdiction b) Unable to help
46-OR5-3	Parole	No jurisdiction
47-WR4-3	a) Correspondence b) Medical	a) General recommendation (Rectified in part) b) Information given
48-WR12-3	a) Dissociation b) Education c) Transfer d) Correspondence	a) General recommendation b) Premature c) Premature d) General recommendation (Rectified in part)
49-OR13-3	Information on file	Premature
50-WR12-3	Transfer	Premature
51-WR16-3	a) Parole b) Conditions c) Correspondence	a) No jurisdiction b) Not justified c) General recommendation
52-QR6-3	Parole	No jurisdiction
53-WR12-3	Sentence administration	Rectified
54-OR5-3	a) Sentence administration b) Correspondence c) Conditions	a) Not justified b) Referral c) Premature
55-OR7-3	Temporary absence	Premature
56-WR12-3	a) Dissociation b) Correspondence	a) General recommendation b) General recommendation
57-QR10-3	Medical	Premature
58-MR1-3	Sentence administration	Rectified

NO.	SUBJECT	ACTION
59-WR-3	a) Parole b) Provincial matter c) Sentence administration	a) No jurisdiction b) No jurisdiction c) Pending
60-WR4-3	Parole	No jurisdiction
61-OR7-3	Discipline	Premature
62-OR5-3	Discipline	Premature
63-OR2-3	Compensation (Personal property)	Rectified
64-WR9-3	Visits	Premature
65-WR14-3	Sentence administration	Not justified - (explained)
66-OR15-3	Racial Discrimination Special Study	Not justified
67-OR5-3	a) Transfer b) Temporary absence	a) Premature b) Premature
68-OR3-3	a) Transfer b) Compensation (injuries)	a) Premature b) Pending
69-MR4-3	Parole	No jurisdiction
70-MR1-3	Conditions	No specific action required
71-MR1-3	a) Parole b) Medical	a) No jurisdiction b) Premature
72-MR1-3	a) Parole b) Provincial matter c) Transfer d) Compensation (personal property) e) Sentence administration	a) No jurisdiction b) No jurisdiction c) Premature d) Premature e) Not justified (explanation given)
73-MR1-3	Transfer	Explanation given
74-MR1-3	Parole	No jurisdiction
75-WR16-3	Parole	No jurisdiction
76-WR9-3	Sentence Administration	General recommendation

108 *REPORT OF THE CORRECTIONAL INVESTIGATOR*

NO.	SUBJECT	ACTION
77-WR11-3	Transfer	Premature
78-QR10-3	Temporary absence	Premature
79-QR10-3	Temporary absence	Premature
80-MR1-3	Dissociation	General recommendation
81-QR11-3	Conditions	Pending
82-QR14-3	a) Parole b) Temporary absence	a) No jurisdiction b) General recommendation
83-QR3-3	a) Dissociation b) Parole	a) No immediate action required b) No jurisdiction
84-OR5-3	Sentence administration	No immediate action required
85-OR13-3	a) Transfer b) Conditions c) Medical	a) Premature b) Premature c) Premature
86-WR1-3	Temporary absence	Premature
87-WR15-3	Sentence administration	Rectified (in part)
88-WR4-3	Other (Confiscation under Narcotics Control Act)	No jurisdiction (advice given)
89-OR5-3	Discipline	Pending
90-WR4-3	Dissociation	General recommendation
91-WR15-3	Transfer	Premature
92-WR1-3	a) Transfer b) Temporary absence	a) Premature b) Premature
93-WR12-3	Sentence administration	Not justified (explained)
94-WR14-3	Transfer	Premature
95-OR13-3	Medical	Rectified
96-OR7-3	Temporary absence	General recommendation
97-OR14-3	a) Disciplinary proceedings b) Visits and correspondence	a) Premature b) Premature

NO.	SUBJECT	ACTION
98-WR15-3	Parole	No jurisdiction
99-MR1-3	a) Temporary absence b) Transfer c) Visits	a) Rectified b) Premature c) Premature
100-WR1-3	Medical	Rectified
101-OR14-3	Compensation (personal property)	Pending
102-OR3-3	Discipline	Premature
103-WR15-3	Parole	No jurisdiction (Explanation given)
104-WR1-3	a) Court procedure b) Parole	a) No jurisdiction (explanation given) b) No jurisdiction
105-OR2-3	a) Temporary absence b) Parole	a) Rectified b) No jurisdiction
106-WR9-3	Temporary absence	Premature
107-MR4-3	Financial matters	Premature
108-MR1-3	Financial matters	Premature
109-WR4-3	Sentence administration	Premature
110-QR4-3	Temporary absence	Premature
111-WR12-3	Visits and correspondence	Rectified
112-WR9-3	Parole	No jurisdiction
113-WR4-3	Parole	No jurisdiction
114-WR16-3	Parole	No jurisdiction
115-OR7-3	Parole	No jurisdiction
116-WR9-3	Temporary absence	General recommendation
117-WR16-3	Discipline	Discontinued
118-WR9-3	Discipline	Premature

NO.	SUBJECT	ACTION
119-WR1-3	Sentence administration	Rectified
120-WR12-3	Sentence administration	Not justified (explanation given)
121-OR5-3*	Sentence administration	No immediate action requested
122-QR5-3	Compensation (for injuries)	Premature (advice given)
123-QR4-3	a) Parole b) Discipline	a) No jurisdiction b) Premature
124-WR15-3	Parole	No jurisdiction
125-WR12-3	a) Compensation (for injuries) b) Visits	a) Pending b) Not justified
126-QR10-3	Parole	No jurisdiction
127-OR5-3	a) Conditions b) Transfer c) Parole d) Conditions	a) Premature b) Explanation given c) No jurisdiction d) Premature
128-WR12-3	a) Condition b) Correspondence	a) Premature b) Rectified
129-WR4-3	Conditions	No immediate action required
130-QR8-3	Parole	No jurisdiction
131-OR5-3	Court Procedure	No jurisdiction
132-OR4-3	Matter within provincial jurisdiction	No jurisdiction (explanation given)
133-WR11-3	Parole	No jurisdiction
134-WR9-3	Conditions	Rectified
135-WR4-3	Court procedures	No jurisdiction
136-WR4-3	a) Medical b) Conditions	a) Rectified b) Not justified
137-WR1-3	a) Conditions b) Transfer	a) Premature b) Rectified

NO.	SUBJECT	ACTION
138-QR8-3	Transfer	Premature
139-WR4-3	a) Dissociation b) Transfer c) Medical	a) General recommendation b) Premature c) Premature
140-WR9-3	a) Temporary absence b) Parole	a) Premature b) No jurisdiction
141-WR9-3	Conditions	Rectified (information and referral given)
142-WR9-3	Transfer	Premature
143-OR13-4	Conditions	Premature
144-OR13-3	Dissociation	General recommendation
145-OR6-3	Conditions	Premature
146-WR1-3	Sentence administration	Not justified (but administration found 4 day error on review)
147-WR9-3	Transfer	Premature
148-WR4-3	Medical	Premature
149-OR4-3	a) Conditions b) Civil matter	a) General recommendation b) No jurisdiction (assistance given)
150-OR13-3	Transfer	Not justified
151-OR-3	Sentence administration	Pending
152-QR10-3	Conditions	No specific action required
153-OR13-3	a) Medical b) Conditions	a) Rectified b) Pending
154-OR5-3	Temporary absence	Premature
155-QR5-3	Sentence administration	Rectified
156-OR13-3	Conditions	Pending
157-WR-3	a) Conditions b) Visits and correspondence	a) Premature b) Pending
158-OR5-3	Transfer	Rectified

NO.	SUBJECT	ACTION
159-WR4-3	Transfer	Premature
160-WR4-3	Dissociation	General recommendation (unable to help individual)
161-OR13-3	a) Transfer b) Discipline c) Conditions	a) Premature b) Premature c) Referral
162-WR4-3	a) Temporary absence b) Disciplinary proceedings	a) Premature b) Premature
163-OR2-3	a) Court decision b) Medical	a) No jurisdiction b) Premature
164-WR1-3	a) Visits and correspondence b) Court decision	a) Premature b) No jurisdiction (information given)
165-OR13-3	a) Discipline b) Racial discrimination c) Conditions d) Transfer	a) Premature b) Premature c) Premature d) Rectified
166-WR-3	a) Compensation (personal injuries) b) Sentence administration	a) Premature b) Not justified (explanation given)
167-WR12-3	a) Medical b) Information on file	a) Rectified b) Premature
168-OR2-3	Parole	No jurisdiction
169-MR4-3	Parole	No jurisdiction
170-WR12-3	Correspondence	Explanation given General recommendation
171-WR2-3	Temporary absence	Not justified General recommendation
172-WR2-3	Parole	No jurisdiction
173-OR5-3	Conditions	Premature (explanation given)
174-OR13-3	Medical	Premature

NO.	SUBJECT	ACTION
175-WR4-3	Visits	Premature
176-OR2-3	a) Court procedures and decision b) Civil matter	a) No jurisdiction (explanation attempted) b) Referral
177-QR12-3	a) Parole b) Medical	a) No jurisdiction b) Premature
178-WR13-3	Parole	No jurisdiction
179-QR-3	Court decision	No jurisdiction
180-OR5-3	a) Information on file b) Sentence administration	a) Not justified (explanation given) b) Not justified (explanation given)
181-OR13-3	a) Dissociation b) Parole c) Medical	a) General recommendation b) No jurisdiction c) Rectified
182-OR2-3	Discipline	Rectified
183-WR14-3	Temporary absence	General recommendation
184-OR7-3	Temporary absence	Premature
185-QR-3	a) Dissociation b) Financial matters (Inmate's)	a) General recommendation b) General recommendation
186-QR3-3	Parole	No jurisdiction
187-MR1-3	Conditions	Premature
188-MR1-3	Conditions	Discontinued
189-MR1-3	Conditions	Premature
190-MR1-3	Conditions	Premature
191-MR1-3	Conditions	Premature
192-QR10-3	a) Disciplinary procedures b) Parole	a) Premature b) No jurisdiction
193-WR9-3	Temporary absence	Premature

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NO.	SUBJECT	ACTION
194-WR4-3	Conditions	Premature (explanation given)
195-OR13-3	Transfer	Premature
196-OR13-3	Transfer	Rectified
197-WR15-3	Sentence administration	Not justified (explanation given)
198-MR1-3	Dissociation	Premature
199-MR1-3	Temporary absence	Premature
200-MR1-3	Medical	Not justified
201-MR1-3	a) Medical b) Transfer	a) Pending b) Premature
202-MR1-3	a) Parole b) Correspondence	a) No jurisdiction b) Not justified
203-MR1-3	Transfer	Referral to Commissioner of Penitentiaries
204-MR1-3	Parole	No jurisdiction
205-MR1-3	a) Temporary absence b) Transfer	a) Premature b) Premature
206-MR1-3	Racial discrimination	Discontinued
207-MR1-3	a) Provincial matter b) Compensation (personal property)	a) No jurisdiction b) Premature
208-MR1-3	a) Sentence administration b) Compensation (personal property)	a) Discontinued b) Discontinued
209-MR1-3	Temporary absence	Premature
210-MR1-3	a) Court procedures b) Medical	a) No jurisdiction b) No justified
211-MR1-3	Dissociation	General recommendation
212-MR1-3	Visits	Premature
213-MR1-3	Transfer	Not justified

NO.	SUBJECT	ACTION
214-MR1-3	Court decision	No jurisdiction
215-MR1-3	Court decision	Unable to help
216-WR1-3	Conditions	a) Premature b) Information given
217-QR3-3	Medical	Unable to help
218-QR5-3	a) Court decision b) Provincial matter	a) No jurisdiction (advice on possibility of appeal given) b) No jurisdiction (given information on whom to contact)
219-OR11-3	a) Conditions b) Temporary absence (group escort)	a) Explanation given b) Rectified
220-OR2-3	a) Sentence administration b) Parole c) Provincial matter	a) Not justified b) No jurisdiction c) Referral given
221-OR13-3	Transfer	Rectified
222-WR12-3	a) Sentence administration b) Parole	a) Not justified b) No jurisdiction (explanation given)
223-OR13-3	a) Conditions b) Conditions (directives not available in library)	a) Premature b) Rectified
224-WR12-3	Dissociation	General recommendation
225-QR8-3	Conditions	Premature (information given)
226-QR5-3	Conditions	Premature (information given)
227-WR12-3	Transfer	Premature
228-OR13-3	a) Transfer b) Information on file	a) Premature b) Referral
229-OR13-3	a) Sentence administration b) Parole c) Discipline	a) Not justified (explanation rejected by complainant) b) No jurisdiction c) Premature

NO.	SUBJECT	ACTION
230-OR7-3	Parole	No jurisdiction
231-WR15-3	Temporary absence	Not justified
232-OR13-3	Transfer	Premature
233-OR13-3	a) Correspondence b) Transfer	a) Premature b) Premature
234-OR13-3	a) Visits b) Compensation (personal property) c) Provincial matter	a) Premature b) Premature c) No jurisdiction
235-QR12-3	a) Dissociation b) Discipline	a) General recommendation b) General recommendation
236-WR4-3	Provincial matter	No jurisdiction (referred to Provincial Ombudsman)
237-OR13-3	Sentence administration	Not justified
238-OR4-3	Sentence administration	Not justified (explanation given)
239-OR5-3	a) Medical b) Compensation (personal property)	a) Discontinued b) Discontinued
240-QR5-3	Compensation (injuries)	Premature
241-QR12-3	a) Conditions b) Dissociation	a) Premature (explanation given) b) General recommendation
242-QR3-3	a) Court procedures b) Medical	a) No jurisdiction b) Pending
243-QR10-3	Conditions	Unable to help
244-QR3-3	Parole	No jurisdiction
245-WR4-3	a) Medical b) Parole	a) Premature (referred to director) b) No jurisdiction (explanation given)
246-QR10-3	Temporary absence	Pending

NO.	SUBJECT	ACTION
247-QR10-3	a) Dissociation b) Transfer	a) General recommendation b) Premature
248-QR2-3	a) Visits b) Dissociation	a) Premature b) General recommendation
249-WR12-3	Sentence administration	Pending
250-WR14-3	Financial matters	Rectified
251-QR8-3	Parole	No jurisdiction
252-QR5-3	a) Parole b) Information on file	a) No jurisdiction b) Premature
253-QR8-3	Conditions	Premature
254-QR5-3	Temporary absence	Premature
255-WR4-3	Dissociation	Pending
256-OR13-3	Racial discrimination	Discontinued
257-OR13-3	Conditions	Premature
258-OR13-3	Conditions	Premature
259-OR13-3	a) Conditions b) Transfer	a) Premature b) Premature
260-OR13-3	Conditions	Premature
261-OR13-3	Conditions	Premature
262-OR13-3	Transfer	Premature
263-OR13-3	a) Transfer b) Medical	a) Premature b) Premature
264-OR13-3	Conditions	Discontinued
265-OR13-3	Dissociation	General recommendation
266-OR13-3	Conditions	No immediate action required
267-OR5-3	Transfer	Premature
268-OR5-3	Transfer	Premature

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NO.	SUBJECT	ACTION
269-OR-3	Visits	Premature
270-QR11-3	a) Transfer b) Temporary absence	a) Premature b) Premature
271-QR8-3	a) Transfer b) Disciplinary action	a) Premature b) Premature
272-QR2-3	a) Provincial matter b) Correspondence	a) No jurisdiction b) Premature (objection to director)
273-QR8-3	a) Visits b) Discipline c) Compensation (loss of personal property)	a) Premature b) Premature c) Premature
274-QR-3	Parole	No jurisdiction
275-QR3-3	Discipline	a) Premature b) Premature
276-OR13-3	Compensation (loss of personal property)	Rectified
277-WR15-3	Conditions	Not justified
278-WR12-3	Provincial Matter	No jurisdiction
279-WR12-3	Dissociation	General recommendation
280-QR12-3	a) Dissociation b) Correspondence	a) Pending b) Premature
281-QR8-3	Parole	No jurisdiction
282-WR15-3	Conditions	No immediate action required
283-WR4-3	a) Correspondence b) Medical	a) Rectified b) Pending
284-OR13-3	Court procedures	No jurisdiction
285-WR-3	a) Parole b) Medical c) Correspondence	a) No jurisdiction b) Discontinued c) Not justified
286-WR14-3	a) Parole b) Conditions	a) No jurisdiction b) Premature

NO.	SUBJECT	ACTION
287-OR11-3	Education	Premature
288-OR13-3	Information on file	Premature
289-QR11-3	Correspondence	Rectified
290-OR11-3	Sentence administration	Not justified (explanation given)
291-OR13-3	Conditions	Referred to Solicitor General
292-QR9-3	Parole	No jurisdiction
293-OR6-3	Temporary absence	Not justified
294-QR6-3	a) Parole b) Other	a) No jurisdiction b) No jurisdiction
295-QR10-3	Temporary absence	Premature
296-QR5-3	Parole	No jurisdiction (explanation given)
297-OR11-3	Parole	No jurisdiction
298-OR2-3	Court procedures	No jurisdiction (referred to Provincial Attorney General's department)
299-QR12-3	Transfer	Premature
300-QR11-3	Parole	No jurisdiction
301-OR13-3	Medical	Premature (advice given)
302-OR13-3	a) Conditions b) Transfer	a) No specific action required b) Pending
303-OR13-3	Conditions	Premature (explanation given)
304-OR13-3	Conditions	Premature
305-OR13-3	Conditions	Premature
306-OR13-3	Conditions	Premature
307-OR13-3	Compensation (personal property)	Premature

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NO.	SUBJECT	ACTION
308-OR13-3	Conditions	Premature
309-OR13-3	Conditions	Premature
310-OR3-3	a) Sentence administration b) Conditions c) Medical	a) Not justified (explanation given) b) Premature c) Premature
311-QR5-4	Parole	No jurisdiction (explanation and advice given)
312-QR8-4	Transfer	Premature
313-QR12-4	Court procedures	No jurisdiction (unable to help)
314-WR4-4	Transfer	Premature
315-WR4-4	Transfer	Rectified
316-WR4-4	a) Dissociation b) Correspondence	a) Premature b) Premature
317-WR4-4	a) Discipline b) Dissociation	a) Pending b) General recommendation
318-OR5-4	Parole	No jurisdiction (explanation given)
319-MR1-4	a) Provincial matter b) Education	a) No jurisdiction (advice given) b) Premature
320-QR2-4	Parole	No jurisdiction
321-OR4-4	Discipline	Premature
322-WR4-4	a) Transfer b) Correspondence	a) Premature b) General recommendation
323-MR2-4	Sentence administration	Not justified (General recommendation)
324-MR1-4	Medical	Rectified
325-WR4-4	Transfer	Premature
326-QR10-4	Temporary absence	Premature

NO.	SUBJECT	ACTION
327-OR12-4	Sentence administration	Pending
328-QR12-4	Medical	Unable to help
329-QR10-4	Temporary absence	Premature
330-QR12-4	Transfer	Premature
331-QR10-4	Court procedures	No jurisdiction
332-MR4-4	Transfer	Premature
333-QR6-4	a) Racial discrimination b) Correspondence	a) Premature b) Premature
334-WR9-4	Information on file	Premature
335-WR16-4	Conditions	Rectified
336-WR16-4	Discipline	Rectified
337-WR13-4	Medical	Rectified
338-MR1-4	Discipline	Premature
339-WR4-4	a) Dissociation b) Medical c) Discipline	a) Premature b) Unable to help c) Not justified
340-WR15-4	a) Temporary absence b) Parole	a) Rectified b) No jurisdiction
341-QR8-4	Parole	No jurisdiction
342-OR13-4	a) Temporary absence b) Dissociation	a) Premature b) Premature
343-OR13-4	a) Transfer b) Dissociation	a) Pending b) General recommendation
344-OR13-4	Transfer	Not justified
345-WR13-4	Temporary absence	Not justified
346-OR5-4	Transfer	Pending
347-WR4-4	Transfer	Premature

NO.	SUBJECT	ACTION
348-WR4-4	Transfer	Premature
349-OR13-4	Transfer	Pending
350-OR13-4	Transfer	Premature
351-OR14-4	Temporary absence	Rectified
352-WR12-4	a) Dissociation b) Correspondence c) Conditions	a) Discontinued b) Premature c) Explanation given
353-OR15-4	Compensation (Personal property)	Rectified
354-WR1-4	a) Court procedures b) Parole	a) Referred to Manitoba ombudsman b) No jurisdiction (assistance given)
355-WR15-4	a) Discipline b) Temporary absence	a) Discontinued b) Not justified
356-WR4-4	Medical	Rectified
357-WR4-4	Medical	Rectified
358-WR4-4	Medical	Rectified
359-WR4-4	Correspondence	General recommendation
360-WR4-4	Conditions	Rectified
361-OR14-4	Conditions	Pending
362-WR12-4	a) Provincial matter b) Compensation (personal property)	a) No jurisdiction (assistance given) b) Premature
363-QR6-4	Conditions	No specific action required
364-OR13-4	a) Provincial matter b) Medical	a) No jurisdiction (advice given) b) Discontinued
365-WR4-4	Transfer	Premature

NO.	SUBJECT	ACTION
366-QR8-3	Medical	Premature
367-OR13-4	Conditions	Premature
368-MR1-4	Conditions	Premature
369-OR13-4	a) Medical b) Conditions	a) Premature b) Referral to Solicitor General
370-MR1-4	Conditions	Discontinued
371-WR11-4	Court decision	No jurisdiction (explanation given)
372-QR12-4	Conditions	Premature
373-OR8-4	Transfer	Rectified
374-QR6-4	Parole	No jurisdiction
375-OR5-4	Temporary absence	Not justified
376-OR12-4	Dissociation	Premature (General recommendation)
377-OR12-4	Conditions	Premature
378-OR8-4	Compensation (personal property)	Premature
379-OR5-4	Conditions	Unable to help
380-WR4-4	Dissociation	No specific action requested (General recommendation)
381-QR-4	a) Provincial matter b) Bilingualism	a) No jurisdiction b) Rectified
382-OR5-4	Transfer	Premature
383-OR13-4	Discipline	Premature
384-QR8-4	a) Transfer b) Sentence administration	a) Premature b) Not justified (explanation given)
385-WR4-4	Medical	Pending

NO.	SUBJECT	ACTION
386-OR13-4	a) Conditions b) Information on file	a) No immediate action required b) Not justified (explanation)
387-OR13-4	a) Dissociation b) Transfer	a) Not justified b) Premature
388-QR5-4	a) Parole b) Provincial matter	a) No jurisdiction b) No jurisdiction (information given)
389-OR12-4	a) Temporary absence b) Transfer	a) Premature b) Premature
390-OR13-4	Discipline	Pending
391-QR11-4	Sentence administration	Not justified (explanation given)
392-OR7-4	Dissociation	Premature (explanation given)
393-WR15-4	Conditions	No immediate action required
394-QR12-4	Conditions	General recommendation
395-QR12-4	a) Conditions b) Transfer c) Bilingualism	a) Premature b) Premature c) Premature
396-QR5-4	Information on file	Discontinued
397-WR4-4	a) Parole b) Court decision c) Conditions d) Medical	a) No jurisdiction b) No jurisdiction c) Premature d) Premature
398-MR1-4	Parole	No jurisdiction
399-QR3-4	Transfer	Premature
400-QR6-4	Conditions	Pending
401-OR5-4	a) Medical b) Day parole	a) Not justified b) No jurisdiction
402-OR13-4	Conditions	Premature
403-OR13-4	Medical	Premature

NO.	SUBJECT	ACTION
404-WR1-4	Transfer	Rectified
405-WR12-4	Sentence administration	Rectified
406-OR13-4	Transfer	Premature
407-WR9-4	Discipline	Premature (advice given)
408-OR13-4	Discipline	Premature
409-OR5-4	Bilingualism	Discontinued
410-QR4-4	a) Transfer b) Dissociation c) Medical	a) Premature b) General recommendation c) Premature
411-WR12-4	Sentence administration	Not justified (advice given)
412-WR16-4	Medical	Not justified (explanation given)
413-OR5-4	a) Discipline b) Conditions	a) Discontinued (deceased) b) Discontinued (deceased)
414-WR1-4	a) Medical b) Dissociation	a) Premature b) General recommendation
415-WR1-4	Sentence administration	Other (Crown appeal pending)
416-WR15-4	Medical	Rectified
417-WR15-4	Court procedures	No jurisdiction (explanation – unable to help)
418-WR12-4	Court procedures	No jurisdiction (Referral to legal aid. Advised no grounds for appeal)
419-WR11-4	a) Compensation (Personal property) b) Information on file	a) Pending b) Rectified in part
420-WR16-4	Parole	No jurisdiction
421-WR16-4	Conditions	Premature (referral to Canadian Paralegic Association)
422-WR16-4	a) Discipline b) Parole	a) Premature (advice given) b) No jurisdiction

NO.	SUBJECT	ACTION
423-WR16-4	Discipline (conflict with directive)	Pending
424-WR11-4	a) Temporary absence b) Conditions	a) Pending b) General recommendation
425-WR16-4	Transfer	Premature
426-OR13-4	Conditions	Premature
427-OR12-4	Dissociation	General recommendation
428-QR12-4	Conditions	Premature
429-WR12-4	Sentence administration	Not justified (explanation given)
430-OR4-4	a) Discrimination b) Parole	a) Not justified b) No jurisdiction
431-OR4-4	a) Conditions b) Medical	a) Not justified b) Rectified
432-WR4-4	Temporary absence	Not justified
433-WR1-4	a) Medical b) Conditions c) Temporary absence	a) No specific action requested b) Pending c) No specific action requested Rectified
434-QR11-4	a) Transfer b) Medical	a) Rectified b) Rectified
435-QR12-4	a) Racial discrimination b) Conditions c) Bilingualism	a) Premature b) Pending c) Pending (advice given)
436-WR12-4	Sentence administration	Not justified (advice to seek other opinion)
437-WR12-4	a) Other b) Transfer	a) Pending b) Premature
438-WR12-4	a) Medical b) Hobby	a) Pending b) Premature
439-WR12-4	Discipline	Pending
440-QR5-4	Temporary absence	Premature (referred to director)

NO.	SUBJECT	ACTION
441-WR16-4	Medical	Premature
442-QR12-4	Dissociation	Premature
443-QR8-4	Transfer	Premature
444-WR4-4	Transfer	Premature
445-WR4-4	Discipline	Discontinued
446-QR2-4	Temporary absence	Rectified
447-QR3-4	Conditions	Discontinued
448-MR4-4	Medical	Premature (advice given)
449-MR2-4	Provincial matter	No jurisdiction (explanation - referral to provincial ombudsman)
450-OR15-4	Temporary absence	Rectified
451-OR10-4	a) Transfer b) Civil matter c) Parole	a) Premature b) Premature c) No jurisdiction
452-WR9-4	Information on file	Not justified
453-WR11-4	Medical	Premature (referred to medical services who agreed to take action)
454-OR5-4	a) Transfer b) Information on file	a) Not justified b) Not justified
455-OR5-4	Provincial matter	No jurisdiction
456-QR3-4	a) Medical b) Transfer	a) Pending b) Pending
457-WR11-4	Sentence administration	Not justified (explanation given)
458-QR12-4	a) Visits b) Medical c) Racial discrimination	a) Pending b) Pending c) Pending
459-WR1-4	Sentence administration	Not justified (explanation given)

NO.	SUBJECT	ACTION
460-OR5-4	Transfer	Rectified
461-OR7-4	Parole	No jurisdiction
462-QR5-4	a) Dissociation b) Transfer	a) Premature (General recommendation) b) Premature
463-QR5-4	a) Dissociation b) Transfer	a) General recommendation b) Premature
464-QR5-4	a) Dissociation b) Transfer	a) Premature (General recommendation) b) Premature
465-OR13-4	Dissociation	Pending
466-OR13-4	Dissociation	Pending
467-MR4-4	Conditions	No specific action required
468-WR14-4	Temporary absence	Not justified
469-WR1-4	a) Provincial matter b) Sentence administration	a) No jurisdiction (advice given) b) Rectified
470-OR7-4	Temporary absence	Premature
471-OR8-4	Transfer	Not justified
472-QR8-4	Conditions	Premature (explanation given)
473-QR8-4	Conditions	Premature (explanation given)
474-QR8-4	Conditions	Premature (explanation given)
475-QR11-4	a) Transfer b) Conditions	a) Premature (explanation given) b) Premature
476-QR5-4	Dissociation	Pending
477-OR2-4	a) Temporary absence b) Dissociation	a) Premature (explanation given) b) Pending
478-QR10-4	Information on file	Pending

NO.	SUBJECT	ACTION
479-OR-4	Financial matter	Other
480-OR-4	Provincial matter	No jurisdiction
481-OR13-4	Transfer	Pending
482-OR13-4	Dissociation	Pending
483-OR13-4	Dissociation	Pending
484-OR13-4	Transfer	Pending
485-WR12-4	a) Dissociation b) Compensation (personal property)	a) Premature b) Rectified
486-QR10-4	Dissociation	Pending
487-QR9-4	a) Temporary absence b) Transfer	a) Premature b) Pending
488-OR14-4	Temporary absence	Pending
489-OR12-4	a) Transfer b) Bilingualism	a) Premature b) Pending
490-MR4-4	Temporary absence	Premature
491-WR4-4	Conditions	Rectified
492-WR4-4	Court procedures	No jurisdiction
493-QR8-4	Visits	Premature (information given)
494-OR2-4	Conditions	Premature (referral to director)
495-WR12-4	Discipline	Premature
496-OR2-4	Conditions	No immediate action required
497-QR5-4	Information on file	Not justified
498-WR4-4	a) Court procedures b) Transfer	a) No jurisdiction (explanation given) b) Premature
499-WR4-4	Conditions	No immediate action required
500-WR4-4	Transfer	Premature

NO.	SUBJECT	ACTION
501-WR4-4	Provincial matter	No jurisdiction
502-WR4-4	Civil matter	No jurisdiction (advice given)
503-OR3-4	Temporary absence	Premature
504-WR12-4	a) Conditions b) Conditions	a) Referred to Commissioner b) No immediate action required
505-OR4-4	Transfer	General recommendation
506-WR4-4	a) Civil matter b) Sentence administration	a) No jurisdiction (information given) b) Pending
507-WR12-4	Sentence administration	Not justified
508-OR5-4	Transfer	Premature
509-OR13-4	Transfer	Pending
510-OR13-4	Conditions	Pending
511-OR7-4	Temporary absence	Premature
512-OR7-4	Temporary absence	Pending
513-OR5-4	a) Conditions b) Information on file	a) Premature (referral given) b) Not justified
514-QR8-4	Discipline	Discontinued
515-OR5-4	Medical	Pending
516-QR8-4	Transfer	Premature
517-WR12-4	Dissociation	Discontinued
518-WR9-4	Visits	Premature
519-QR10-4	Visits	Premature
520-OR5-4	Temporary absence	Pending
521-OR13-4	Transfer	Premature
522-OR13-4	Transfer	Pending

NO.	SUBJECT	ACTION
523-QR5-4	Sentence administration	Not justified (explanation given)
524-OR13-4	Conditions	Pending
525-OR6-4	Parole	No jurisdiction (explanation given)
526-WR4-4	Parole	No jurisdiction (information given)
527-WR4-4	Court decision	No jurisdiction
528-OR11-4	Parole	No jurisdiction
529-OR13-4	Conditions	No immediate action required
530-OR5-4	a) Parole b) Temporary absence	a) No jurisdiction b) Premature
531-OR11-4	Transfer	Premature
532-OR6-4	Temporary absence	Pending
533-WR4-4	Court procedures	No jurisdiction
534-OR13-4	Transfer	Pending
535-OR13-4	Medical	Premature (referred to Director of Medical Service)
536-OR-13-4	Sentence administration	Not justified (explanation given)
537-OR13-4	Conditions	Pending
538-WR4-4	Education	Premature
539-WR4-4	Other	No jurisdiction (information given)
540-WR4-4	Sentence administration	Rectified
541-OR7-4	Correspondence	Premature
542-MR4-4	Visits	Discontinued (explanation given)

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NO.	SUBJECT	ACTION
543-MR4-4	a) Correspondence b) Conditions	a) Pending b) Pending
544-MR4-4	Conditions	Premature (explanation given)
545-MR4-4	Conditions	No immediate action required
546-OR13-4	Conditions	Pending
547-MR4-4	Dissociation	Premature (explanation given) General recommendation
548-MR4-4	Dissociation	Premature (explanation given) General recommendation
549-OR5-4	Provincial matter	No jurisdiction (advice given)
550-OR5-4	Conditions (13 items)	Premature
551-OR5-4	Temporary absence	Premature
552-OR13-4	Temporary absence	Pending
553-OR13-4	Transfer	Not justified
554-MR4-4	Transfer	Premature
555-QR11-4	a) Sentence administration b) Other	a) Pending b) No jurisdiction (assistance given)
556-OR5-4	Compensation (personal property)	Premature
557-OR5-4	Temporary absence	Pending
558-OR5-4	Transfer	Premature
559-OR15-4	Temporary absence	Premature
560-WR12-4	Transfer	Premature (information given)
561-WR4-4	Parole	No jurisdiction
562-QR12-4	Medical	Premature
563-QR12-4	Dissociation	Premature (General recommendation)

NO.	SUBJECT	ACTION
564-QR12-4	a) Transfer b) Medical	a) Premature b) Premature (advice given)
565-WR4-4	Special study	Pending
566-QR8-4	Transfer	Premature
567-QR5-4	Sentence administration	Premature
568-OR7-4	Conditions	Pending
569-OR-4	Court procedures	No jurisdiction
570-OR15-4	Discipline	Pending
571-OR13-4	Conditions	Pending
572-OR5-4	a) Parole b) Conditions	a) No jurisdiction b) Pending
573-WR13-4	Temporary absence	Rectified
574-OR5-4	Sentence administration	Pending
575-QR11-4	Compensation (personal injuries)	Premature (advice given)
576-WR9-4	Sentence administration	General recommendation
577-WR4-4	Transfer	Premature
578-WR12-4	Sentence administration	Not justified (explanation given)
579-OR5-4	Sentence administration	Not justified (explanation given)
580-OR13-4	Conditions	Pending
581-OR5-4	a) Dissociation b) Transfer	a) General recommendation b) Pending
582-MR1-4	Medical	Pending
583-OR4-4	Temporary absence	Premature
584-OR7-4	Transfer	Pending
585-WR4-4	Temporary absence	Premature

NO.	SUBJECT	ACTION
586-OR8-4	Sentence administration	Pending
587-OR11-4	Transfer	No immediate action required
588-QR11-4	a) Transfer b) Parole	a) Not justified b) No jurisdiction
589-WR9-4	Temporary absence	General recommendation (explanation given)
590-WR9-4	Visits	Premature (referred to assistant director)
591-WR15-4	Parole	No jurisdiction (information given)
592-WR4-4	Education	Premature (referred to Canadian Penitentiary Service)
593-WR12-4	Financial matter	Pending (General recommendation)
594-WR15-4	Transfer	Pending
595-OR8-4	Racial discrimination	Pending