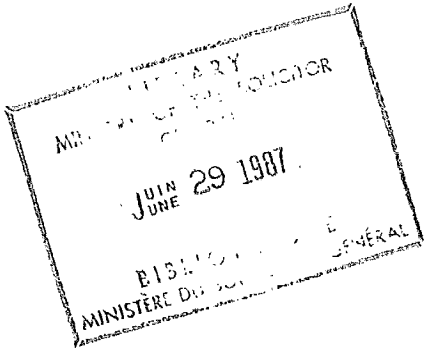
Canada

Annual Report of the Correctional Investigator

1984 - 1985

The Correctional Investigator
Canada

Annual Report of the Correctional Investigator



1984-1985

Cat. No. JA 1-1985

ISBN 0-662-54435-8

The Correctional Investigator
Canada

P.O. Box 2324, Station D
Ottawa, Ontario
K1P 5W5

L'Enquêteur correctionnel
Canada

C.P. 2324, Station D
Ottawa (Ontario)
K1P 5W5

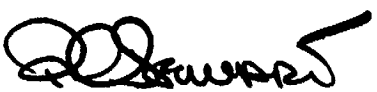
January 29, 1986

The Honourable Perrin Beatty
Solicitor General of Canada
House of Commons
Wellington Street
Ottawa, Ontario

Dear Sir:

As Correctional Investigator appointed to investigate complaints and report upon problems of inmates in Canadian penitentiaries, I have the honour of submitting to you the twelfth annual report on the activities of this office covering the period June 1, 1984 to May 31, 1985.

Yours respectfully,



R. L. Stewart
Correctional Investigator

Canada

Table of Contents

Appointment and Terms of Reference

The office of the Correctional Investigator has just completed its twelfth year having been established on June 1, 1973 pursuant to Part II of the *Inquiries Act* and it has been my honour to have served in that capacity since November 15, 1977.

In Appendix "A" to this report can be found the full text of the Order in Council describing the mandate of the Correctional Investigator which is to investigate on his own initiative on request from the Solicitor General of Canada or on complaint from or on behalf of inmates defined in the *Penitentiary Act*, and to report upon problems of inmates that come within the responsibility of the Solicitor General with certain exceptions.

Organization and Operation

For the twelve month period ending May 31, 1985 a staff of seven persons assisted me in handling a total of 1,742 complaints which was an increase of twenty-five per cent from the previous year. By far the category with the largest number of complaints again this year was that of transfer followed by problems concerning visits and correspondence matters, then medical related issues.

It is important to mention that inmates are required to take all reasonable steps to exhaust available legal or administrative remedies before we commence an investigation. In a great many cases the inmate has already presented his problem to the Correctional Service through the internal grievance procedure so very often, we are dealing with the more controversial or more difficult to solve issues that were not resolved during an early review. Given those circumstances an annual resolvement rate of around 10% is usually predictable. This year our rate was 9.5% and for an additional 62% of the complaints we were able to either offer some assistance, provide information or make a referral to a more appropriate agency.

During the year we made 221 visits to some forty different institutions and conducted 808 interviews with inmates as well as countless others with Correctional Service personnel. It was a very busy year for all of us and I would like to extend my appreciation and thanks to my staff.

STATISTICS

TABLE A

COMPLAINTS RECEIVED AND PENDING — BY CATEGORY

Category	1984-1985	1983-1984
Transfer	310	27
Visits and Correspondence	154	10
Medical	136	12
Staff	92	5
Discipline	74	11
Claims	71	6
Sentence Administration	64	6
Financial Matter	60	6
Cell Effects	59	2
Programs	56	4
Dissociation	50	10
Temporary Absence	48	2
Grievance Procedure	46	3
Work Placement	30	2
Information on File	29	5
Diet/Food	28	1
Use of Force	26	2
Request for Information	21	1
Cell Placement	19	1
Education	6	1
Hobbycraft	6	0
Canteen	4	0
Other	137	6
Outside Terms of Reference		
Parole	57	1
Provincial Matter	21	1
Court Procedures	6	0
Court Decision	6	1
Sub-total	1,616	126
Total		1,742

TABLE B

COMPLAINTS — BY MONTH

Pending from previous year		126
1984		
June		108
July		97
August		108
September		164
October		101
November		247
December		75
1985		
January		124
February		99
March		207
April		98
May		188
	Total	1,742

TABLE C

COMPLAINTS — BY INSTITUTION

	Pacific Region								Prairie Region								
	Kent	Psychiatric Centre	Matsqui	Mission	Mountain	William Head	Ferndale	Other	Saskatchewan	Psychiatric Centre	Saskatchewan Farm Annex	Stony Mountain	Rockwood	Edmonton	Bowden	Drumheller	Other
1984																	
June	6					2			18			7	2	2	13	1	
July	21			3				1	8			1		2	2		2
August	7		2		4	2		1	9			3		1	3		
September	34	1		8	5	12	1		5	6		5		1	3		
October	2			1		1		1	8	3				9	1		4
November	4	5		5	20				12	1	1	17		1	4		
December	3								10					2	4		
1985																	
January	3	1			2				6		2	1		10	2	5	
February	3	1	1	1	1				23	2				2		2	1
March	20	4	3	13	3				76	2	1	20		2	1	3	1
April	1	2	4	1		1			7	1		4		3	1		
May	3	2	11			2			9		1	2		7	2	26	
Sub-total	107	16	21	32	35	20	1	3	191	15	5	60	2	42	36	37	8
Total	1,616																

(1) Federal Training Centre
(2) Correctional Development Centre
(3) Regional Reception Centre

	Ontario Region									Quebec Region												Atlantic Region		
	Bath	Beaver Creek	Collins Bay	Joyceville	Kingston	Millhaven	Prison for Women	Warkworth	Other	F.T.C. (1)	C.D.C. (2)	Archambault	Ste-Anne-des-Plaines	Cowansville	Montée St-François	La Macaza	Laval	Leclerc	Drummond	R.R.C. (3)	Ogilvy Centre	Other	Dorchester	Westmorland	Springhill	Other
	1	1	6	3	6	16		2	1	4	3	1		1			5	1		1			6			
		1	6	2	4	3	18	7	2		3			3		1	1	3					2			
			1	3	34	4		2	2	1	3	1	1	2		2	4	11					4		1	
			2	17	14	4	1	7	1	1	3	2	2	5	2		2	1					1	10	8	
			1	3	20			1		3	6	4		21		5	2	3					2			
	3		5	3	10	6	2	50	1		5			6		1	74	6					3	1	1	
			19		7	6		2			1	4		7				3					6		1	
			3	5	8	11		10	5	15	4	1		10			7	8					5			
				3	14	9	4	17	1			2		1		3	1						6		1	
			5	1	9	7	1	14	2	1		1	3	3	1	2		4					4			
			3	3	8	5	2	20		1		7	1	3			4	12		1	1		1		1	
				4	65	4		12	6	3				9			8	3	1				6		2	
	4	2	51	47	199	75	28	144	21	29	28	23	7	71	3	14	108	55	1	2	1		46	11	15	

TABLE D

COMPLAINTS AND INMATE POPULATION BY REGION

REGION	COMPLAINTS	INMATE POPULATION[1]
Pacific	235	1,745
Prairie	396	2,521
Ontario	571	3,260
Quebec	342	3,421
Maritimes	72	1,205
Total	1,616	12,152

[1]The inmate population figures were provided by The Correctional Service of Canada and are those for the period ending May 31, 1985.

TABLE E

INSTITUTIONAL VISITS

Multi-level		NUMBER OF VISITS
Kingston Penitentiary		25
Prison for Women		7
Regional Psychiatric Centre, Prairie		1
Regional Psychiatric Centre, Pacific		6
Saskatchewan Penitentiary		14
	Sub-total	53
S6 and S7		
Archambault		9
Correctional Development Centre		2
Dorchester		9
Edmonton		7
Kent		2
Laval		14
Millhaven		15
Regional Reception Centre, Quebec		2
	Sub-total	60
S3, S4 and S5		
Bowden		5
Collins Bay		6
Cowansville		5
Drumheller		4
Drummond		1
Federal Training Centre		4
Joyceville		9
La Macaza		2
Leclerc		6
Matsqui		5
Mission		7
Mountain		5
Springhill		4
Stony Mountain		10
Warkworth		11
William Head		3
	Sub-total	87

(continued on page 10)

TABLE E (*continued*)

INSTITUTIONAL VISITS

S1 and S2		NUMBER OF VISITS
Bath		1
Beaver Creek		1
Drumheller Annex		1
Ferndale		2
Frontenac		1
Pittsburgh		3
Rockwood		1
Saskatchewan Farm Annex		3
Ste-Anne-des-Plaines		4
Sumas Centre		1
Westmorland		3
	Sub-total	21
	Total	221

TABLE F

INMATE INTERVIEWS

MONTH		NUMBER OF INTERVIEWS
June		74
July		32
August		36
September		133
October		48
November		105
December		49
January		45
February		45
March		111
April		29
May		101
	Total	808

TABLE G

DISPOSITION OF COMPLAINTS

ACTION	NUMBER
Pending	92
Declined	
a) Not within mandate	109
b) Premature	515
c) Not justified	194
Withdrawn	198[1]
Assistance, advice or referral given	501
Resolved	78
Unable to resolve	55
Total	1,742

[1] Occasionally, complaints are withdrawn by inmates, especially on release; however, if such a complaint has general implications the investigation may continue.

TABLE H

COMPLAINTS RESOLVED OR ASSISTED WITH — BY CATEGORY

CATEGORY	RESOLVED	ASSISTANCE GIVEN
Canteen	1	0
Cell effects	5	16
Cell placement	0	5
Claims	3	33
Diet/food	0	7
Discipline	3	14
Dissociation	3	26
Education	0	4
Financial matter	8	16
Grievance procedure	5	20
Hobbycraft	0	1
Information on file	4	10
Medical	3	37
Programs	2	21
Request for information	1	17
Sentence administration	3	29
Staff	3	18
Temporary absence	2	16
Transfer	15	115
Use of force	0	11
Visits and Correspondence	11	40
Work Placement	1	5
Other	5	31
Outside Terms of Reference		
Court decision	0	1
Court procedures	0	1
Parole	0	6
Provincial matter	0	1
Total	78	501

RECOMMENDATIONS

RECOMMENDATIONS FOR 1984-85

Again this year a number of recommendations were made to The Correctional Service of Canada at the National Headquarters level. These were in response to complaints from inmates on issues that were either not adequately responded to in our opinion, at the institutional or regional levels or which dealt with matters that could only be decided in Ottawa. Although we make recommendations at every level in attempting to resolve the complaints of inmates, I have again included in this annual report only those recommendations made to National Headquarters.

1. Non-Conformity to Grievance Response Time Frames

The Divisional Instruction dealing with the inmate grievance procedure provides a time frame of ten working days for the third level response. It goes on to state that where additional time is required the grievant is to be informed in writing and given the reasons for the delay and the amount of additional time required. I brought to the attention of the Inspector General two of many examples where that response time was not met. The time taken was sixty-one and forty-five days respectively. In both these cases the inmates were informed that the third level response would not be possible within the time frame but they were not informed of the reasons for the delay or the amount of additional time required.

It has been my experience that because inmates are subject to a myriad of directives and instructions that tend to regulate their every movement they become especially provoked when Correctional Service personnel do not in turn adhere to provisions such as time frames which they are required to respect.

In response to the complaints and as well to ascertain the dimension of the problem, I recommended:

(a) That an immediate review of the processing of inmate grievances at the third level be undertaken;

(b) That the results of the review be forwarded to this office;

(c) That the third level processing of inmate grievances be adjusted so as to conform to the requirements of the Divisional Instruction.

My letter was acknowledged and referred to the Director of Inmate Affairs who forwarded his comments to the Inspector General within a week but it took almost two months before they were sent to my office. The Director of Inmate Affairs basically said that the processing of grievances does sometimes take longer than the time frames provide because they are understaffed, because often inadequate information is provided from the field and because often they have to do an investigation. Where there are delays, inmates are not being informed of the reasons because Investigators are too busy and that job is delegated to clerical staff. He further stated that it was not considered meaningful and that the Divisional Instruction should be amended. With respect to giving new time frames that is out of their control and to provide an estimate which may again not be met can cause even more dissatisfaction and therefore the Divisional Instruction should be amended.

These comments, although addressing the problem, should have prompted some action on the part of the Correctional Service. However I had to write back to the Inspector General requesting a position with respect to my recommendation. He responded by saying that a review of the processing of grievances "would not bring to light anything that is not already known and that staff resources could be put to better use."

He then went on to detail the problems involved with giving reasons and accurately predicting what further period of time might be required and intimated that original time frames might be expanded and that reasons for delay and length of delay might be deleted from the instruction.

I felt that any such action was really counter-productive in that they might change the rules to suit the circumstances rather than follow the recommendation and have their procedures conform to the instruction.

Another letter to the Inspector General confirming our position on the matter elicited the response that a survey had just been concluded on the third level grievance which found that fifty percent of such grievances were responded to within the prescribed ten working day period and seventy-five per cent within twenty working days. It went on to predict that with staffing improvement the prescribed time frame would be met considerably more often.

With respect to the matter of delays I was advised that given the option between answering on time and ensuring that the answer was complete even if delayed somewhat, delay was justifiable and agreed with the principle of fairness. It was admitted that inmates were not normally informed of the reasons for the delay at the third level as the form letter of notification did not provide for this; however, I was advised that the Director of Inmate Affairs had now requested his staff to provide such reasons in every case. On the question of notice of further time required, although this is difficult to predict such information is to be provided on an experimental basis.

2. Non-Conformity to Claim Appeal Response Time Frames

We received several complaints from inmates alleging delays with respect to the processing of appeals against decisions on claims against the Crown. We investigated the allegations and found that in fact appeal decisions were not being provided in a timely manner. The time frames found in the Divisional Instruction for appeal responses which are fifteen days for claims up to $1,000 and thirty days for those over that amount were, in some cases, not being met and we had examples where the delays were far in excess of these. Where delays are anticipated the inmate is to be given an estimate of the time in which he can anticipate a response. This was not being done.

Consequently I recommended:

(a) That an immediate review of the processing of appeals be undertaken and where necessary adjustments be made to ensure compliance with the Divisional Instruction;

(b) That the results of the review be forwarded to our office.

Again the matter was forwarded to the Director of Inmate Affairs who responded in a memorandum to the Inspector General that the processing of such appeals generally takes longer than the time frames mentioned in the Divisional Instruction and he gave several reasons for this. He concluded by saying that the fifteen day time frame may not be

realistic. He went on to add that when inmates were notified of delays they were not informed of the estimated time within which a decision would be forthcoming. It was his feeling that the time estimate was neither desirable nor possible and that the Divisional Instruction should reflect this.

I really had no quarrel with his comments and appreciated receiving them but surely the memorandum was intended as an internal document to provide information concerning the issues and not as an official response to our recommendation. It was necessary to again write to the Inspector General requesting a firm decision with respect to the recommendation. He responded by saying that a review of the appeals processing was not necessary, that it was not possible to provide an estimate of the time required beyond the prescribed fifteen days and that that reference would be deleted. Finally he indicated that the intention was to extend the time frame for responding to thirty working days from fifteen.

It was my feeling that in any redress mechanism two elements must be present to ensure fairness. You must strive for a timely response and if delay is inevitable, you must give notice of same and an indication when a decision can be expected. Without these safeguards a matter could drag on endlessly. We supplied information on six individual appeals where the time frames ranged from fifty-five to ninety-five days and counting, and requested a reconsideration of the recommendation.

I was subsequently informed that a review of the processing of appeals was carried out and that the backlog of some twenty-five late appeals had been dealt with. I was advised however that even with increased staffing the initial fifteen days processing period for appeals in the majority of cases could not be met due to lengthy reviews of documentation and requests for further information. Consequently the time frame will be extended to thirty working days but reasons for delays beyond that time will be provided.

3. Visitor Consent to Search Form

In response to an earlier recommendation from the office a Consent to Search Form was incorporated in the Application for Visits Form in order to give notice to a person seeking to visit an inmate at a penitentiary that (a) every such visitor might be requested to undergo a type of search and (b) a description of the types of searches.

Section 41(1) of the Penitentiary Service Regulations dealing with contraband and search procedures appeared on the form. However, that particular regulation had been amended earlier and it was not until some time later that we realized that the former version of the regulation appeared on the form instead of the amended one. We quickly notified the Inspector General and recommended:

> **That the Visitor Consent to Search Form be updated to adequately reflect the amendment to Section 41(1) of the Penitentiary Service Regulations.**

It took some time to implement this recommendation after which we were informed that the form was now available for general use. However, my concern was directed more to the use of the form rather than its availability, as it had been our experience with respect to another form that there had been considerable delay in ensuring its use. As a result I requested that follow up action be taken to ensure their use in the field. I was advised that the Inspector General's Branch was not in the business of "ensuring compliance" but that there was sufficient monitoring in place at all levels to ensure policy was enforced. That however, certainly had not been my experience in the past so I requested a meeting and after full

discussion we were able to resolve the matter and I was subsequently advised that the form in question was being used.

4. Subsidized Telephone Calls

It is the policy of the Correctional Service to allow the privilege of free monthly telephone calls home for inmates at the Prison for Women as well as for inmates from Newfoundland and Labrador incarcerated in federal institutions in the Atlantic Region. The rationale for the policy is because there are no federal facilities to accommodate these inmates in their own province. In a piece of correspondence from a former Solicitor General dealing with Newfoundland and Labrador inmates the policy was confirmed but in a less restrictive way indicating free telephone calls home for such inmates incarcerated in federal penitentiaries. There was no mention that they be incarcerated in the Atlantic Region. When I questioned the policy I was assured that the former Minister had intended that the free calls be restricted to such inmates in the Atlantic Region.

I was concerned however, about the fairness of the policy and the fact that it did not go far enough. What about inmates from Newfoundland and Labrador incarcerated in regions other than the Atlantic? I recommended:

> **That the privilege of free monthly telephone calls home for inmates from Newfoundland and Labrador incarcerated in federal institutions in the Atlantic Region be extended to include all inmates from those places regardless of the region where they are situated.**

The matter was referred to the Deputy Commissioner Offender Programs who commented that "to expand the policy would be to ignore the rationale for the privilege in the first place, i.e. the fact that there are no federal institutions in Newfoundland and Labrador and these inmates must therefore be housed in the first instant, in other parts of the Atlantic Region. If they leave the Atlantic, they lose the privilege. Also, further expansion of the privilege to only this class of inmates regardless of where they reside, would cause us considerable grief with all our other inmates who do not reside in their home regions who could reasonably demand the same privilege."

I next wrote to the Commissioner of Corrections on the matter indicating to him that I failed to see, if the rationale for the telephone privilege is as stated, why the privilege is lost when such an inmate is transferred out of the Atlantic Region. Surely such a transfer would place the inmate further from his home thereby increasing the need to maintain family contact through the privilege of free monthly telephone calls. I requested that the recommendation be reconsidered.

In the reply received I was advised that the issue had been resubmitted to the Deputy Commissioner Offender Programs but that after careful consideration there was no reason to change the policy. It was admitted that the question was a difficult one to resolve to the satisfaction of all those involved and that the policy, although not perfect should remain in place. Because of my persistence the Commissioner agreed to raise the issue with the Minister and to advise me of his reaction. Shortly thereafter a new Commissioner of Corrections was appointed and unfortunately I did not receive a further response.

At an early meeting with the new Commissioner this was one of the agenda items that was discussed. Some time later he advised me that he had decided to maintain the present system as it was in line with the Service's position vis-à-vis a number of inmates who are

housed outside of their region and who are not granted the privilege of free calls. He also advised that he had given instructions to reduce inter-regional transfers to an absolute minimum so there should not be a large number of transfers out of the Atlantic Region.

5. Double Bunking in Segregation

One of the most serious problems that we have encountered is that of double bunking and especially in segregated cells where in some cases inmates are confined for more than 23 hours a day. Life in a segregation or dissociation cell is hell at the best of times; however, we are aware that in some institutions because of staff shortages they are unable to provide such basics as daily showers and the minimum one hour exercise per day for inmates in these special cells. The problem is of course compounded when these cells hardly big enough for one man are double bunked.

I recommended:

(a) That The Correctional Service of Canada review its present segregation/dissociation operations to ensure that they are in compliance with the requirements enunciated in the Commissioner's Directives;

(b) That The Correctional Service of Canada cease immediately the practice of double bunking in segregation and dissociation areas.

After a lengthy delay of almost three months we received from the Inspector General comments of the Deputy Commissioner Offender Programs but there was no mention of the review we had recommended. Instead we were advised that the last six months had been spent drafting explicit policies and guidelines regarding administrative segregation which included minimum standards for showering, exercise, visits, etc. As well, to ensure compliance, a "Manager, Administrative Segregation" had been appointed at National Headquarters and that a Regional Coordinator had been appointed in each Region to assist in the implementation of the new policies and procedures. Also, that workshops had been held to familiarize staff and that future monitoring would address the type of problem outlined in the recommendation.

As for the second part of the recommendation it was agreed that double bunking in dissociation was undesirable, that the issue was to be presented to the Dissociation Policy Board for consideration and that we would be advised of the status of part (b) by October 31, 1984.

It should be noted that in the reply we were asked to be more specific in naming institutions where problems existed. However, any time we have been specific about a problem location the Correctional Service has refused to look beyond that location to see if in fact a general problem exists. The problems in this case are widespread and our recommendation for a review was a legitimate one and deserved a better response than that of no follow up is necessary. Consequently the issue was referred back to the Correctional Service.

The October 31, 1984 date passed with no further word from the Inspector General. Finally on January 10, 1985 I was advised that the Dissociation Policy Board had met and the results included assignments at all levels of monitoring responsibilities with respect to segregation and to include compliance with directives; a statement that double bunking in administrative segregation was to cease and Wardens were to designate other areas as temporary segregation areas; an indication that the double bunking issue would be presented to the Senior Management Committee and finally that the Commissioner's

Directive was to be amended. Follow up action to be taken and status situation to be supplied March 15, 1985.

Two weeks later I was advised that Senior Management Committee had approved in principle my recommendation but that it would probably take a long time to resolve. Would I consider the matter complete? However after reading a copy of the Senior Management Committee minutes which indicated that double bunking was not about to cease I certainly was not about to consider the matter closed.

It is interesting to note that according to The Correctional Service of Canada statistics there were 124 inmates double bunked in segregation when the recommendation was made in June, 1984. As of January 30, 1985 that number had increased to 198.

It still remains my position that it is inhumane to lock two people up in one cell 23 hours a day, especially when you have cells in the general population which are not double bunked and so I resubmitted the matter, this time to the Commissioner of Corrections.

Unfortunately the recommendation has not been implemented because of the acute shortage of cells in most institutions. One bright note did emerge from the exercise in that the Commissioner stated that he was reluctant to effect inter-regional transfers of inmates on an involuntary basis in order to alleviate overcrowding in the affected regions.

6. Sharing of Case Management Reports

It came to my attention that early in 1984 Case Management Reports which had been traditionally co-signed by the inmate were no longer to be signed by or physically shared with the offender. It had been my understanding that the case management process was designed to ensure that primary documentation making recommendations on such administrative decisions as transfer, temporary absence and conditional release was to be shared with the inmate. A method of obtaining consistency in this sharing of information was to have the inmate co-sign the documents which by the way were never intended to contain confidential information, as that went on the Confidential Information Report.

This change in policy during a time period when the courts had been reaffirming the inmate's right to be aware of information used in administrative decisions directly affecting his condition of incarceration was, I felt, a regressive step and so I questioned the change.

In the reply I was advised that "The Correctional Service of Canada was precluded from physically sharing Case Management Reports or having them signed by the offender as a result of Section 19 of the *Privacy Act*", which of course was not what that section said at all.

Section 19 of the *Privacy Act* refers to certain information formally requested under Section 12(1) and is not a blanket exemption to preclude an individual's access to traditionally shared information. The personal information obtained in confidence referred to in Section 19 should not be contained in the Case Management Report. I was also sent a copy of a memorandum of the Commissioner dated March, 1984 which introduced this change and stated that the measure would not preclude orally sharing information normally shared and that a complete package including training would be forthcoming in the immediate future to assist those who normally share information with offenders.

There was no question that the Service's change in policy based on Section 19 was a mis-application of the *Privacy Act* and so I recommended:

That immediate action be taken to re-institute the policy of having inmates co-sign Case Management Reports.

In conjunction with the recommendation I requested a copy of the "package" and details of the training program because the staff members we had spoken with were unaware of any package and were, to say the least, less than clear as to what was or was not to be shared. I also queried whether or not the information in the March memorandum had been shared with the inmate population.

At a meeting in early January, called to review outstanding issues that I had brought to the attention of the Correctional Service, it is interesting to note that during discussion on this recommendation legal counsel for Corrections was of the opinion that indeed Section 19 of the *Privacy Act* could not be used to exempt previously available information.

It was two months later that I received a reply to the recommendation in which I was advised that Section 19 does not preclude, per se, the sharing of information but that expectations that some Provinces had respecting their requested maintenance of confidentiality of information forwarded to The Correctional Service of Canada might produce the same effect. The Deputy Commissioner Offender Programs indicated that due to the fact that some Provinces had asked for blanket assurances that no information provided by them would be disclosed, and because some of that information would be included in the Case Management Reports, then it followed that the reports should not be co-signed or physically shared.

With regard to the training package mentioned in the Commissioner's memorandum of March, 1984 we were advised that "guidelines are being developed and that their anticipated distribution is March, 1985." We were also advised that "it is assumed that Case Management Officers would have shared the policy change with inmates" but the question would be followed up and we would be supplied with a definite yes or no response.

In April we received a follow up from the office of the Inspector General advising that the guidelines were still in the works and the anticipated distribution was now May 31, 1985. With respect to the definite yes or no response, we were advised "it must be assumed that this information was shared with the inmate population."

To sum up this issue it is now almost fifteen months since the policy change was announced, and I still have not received any valid reason why the co-signing of Case Management Team reports cannot be reinstated. The package, including training, is still not ready and I do not have a definite answer as to whether or not the inmate population was advised of the policy change.

7. Admission to the Special Treatment Services Program

Concerns were brought to my attention with respect to the admissions policy for the Special Treatment Services program for sex offenders at the Treatment Centre in the Ontario Region.

In the specific example we highlighted, an inmate appeared before the Parole Board and after discussing the program the Board Members recommended that he be admitted for the Special Treatment Services program as soon as possible. It was noted that the inmate had been advised that it was very unlikely that he would be granted any form of parole until such treatment had been completed. It was also noted that the Court had recommended treatment as had the pre-trial psychiatrist, the institutional psychologist and the Case

Management Team. The inmate's complaint was that he had been encountering delays in being accepted into the program and the reason given was that there was a waiting list.

I raised the matter with the Director General, Medical and Health Care Services and he forwarded to me a copy of a memorandum from the Treatment Centre which indicated that it was unfortunate that inmates who would otherwise be eligible for parole are not always able to participate in the program immediately. It also pointed out that it might be more unfortunate if an inmate in need of treatment and ready for mandatory supervision re-offended because treatment had not been forthcoming. Consequently, the policy is that inmates are treated in relation to their mandatory supervision dates and although this may cause some inmates to be retained in the system longer, it does ensure that all inmates requiring treatment are treated prior to release.

I was not convinced that the policy might not have the adverse effect when inmates, through frustration at being denied access to the program early in their sentence in preparation for parole, might refuse to enter the program prior to mandatory supervision.

It seemed that there might be room to expand the admissions policy beyond the mandatory dates which would accommodate recommendations from both the Parole Board and the Case Management Team.

I therefore recommended:

That the admissions policy to the Special Treatment Services program at the Treatment Centre in Kingston be reviewed to ensure an increased responsiveness to both the needs of the individual inmate and the recommendations of the National Parole Board and the institutional personnel involved with the case.

In a memorandum from the Director General, Medical and Health Care Services I was advised that he had received a commitment from both the Associate Warden and the Coordinator, Psychological Services to review cases for admission to the program regardless of mandatory supervision dates. I was also advised that the inmate in question had been admitted to the program.

8. Inmate Privacy

In July 1981 following the deployment of female correctional officers in federal penitentiaries housing male inmates I recommended changes in the search procedures to give male inmates the same standard of dignity afforded all other individuals liable to be searched. That recommendation was unfortunately rejected; however, arising out of the correspondence on the issue were indications on the part of the Correctional Service that modesty barriers would be implemented in shower and toilet areas in such institutions and that studies were ongoing with respect to the installation of such barriers in individual cells.

While this is not a recommendation per se, it flows from the earlier one and because we had a number of complaints concerning these areas it is a topic which I re-introduced and which should be reported upon.

In October, 1984 I wrote to the Inspector General bringing to his attention complaints my office had received concerning inmate privacy and specifically the involvement of female officers in search and showering procedures and their presence in the ranges where no privacy is afforded inmates using toilet facilities.

In response I received a progress report on the installation of modesty barriers in the shower areas which on later inspection by my staff proved to be inaccurate and no mention was made of individual cells barriers. I was advised that there had been no change in search procedures.

I wrote back to the Inspector General requesting further information on these matters. This was provided along with a notice that a pilot project was now underway on cell modesty barriers and that a final evaluation and decision would be made in two months time.

In a letter from the Commissioner summarizing outstanding issues he touched on the subject of the modesty barriers and mentioned that it had been initially addressed by the Canadian Human Rights Commission in November, 1981. I think it is safe to conclude that neither of us was particularly comfortable with the length of time that this matter has remained unresolved.

9. Special Handling Unit Review Process

In an earlier report I had recommended to the Commissioner of Corrections that an independent review process be put in place to review decisions of the National Special Handling Unit Committee which I might bring to his attention. The recommendation was finally accepted and a memorandum was issued setting out the procedures to be applied.

The Commissioner's Directive on Special Handling Units stated clearly that any such decision "shall be supported by documentation" so when we investigated a complaint concerning a decision and found that there was no specific documentary evidence I recommended:

That the decision to place a certain inmate in a Special Handling Unit be the subject of the review process.

The recommendation was sent to the Inspector General who in turn referred it to the Assistant Commissioner Security who is Chairman of the Special Handling Unit Committee. I was informed some time later that the Assistant Commissioner Security had decided that the case would not be reviewed because the police had confirmed that they had adequate evidence to charge the inmate. However, the decision to review or not did not rest with the Assistant Commissioner Security nor with the Inspector General but was to be a decision by the Commissioner according to the procedure in his memorandum. So I wrote to the Commissioner again calling for a review as it was quite obvious that neither the Assistant Commissioner Security or the Inspector General were familiar with the review procedure.

I received a reply from the Acting Commissioner in which he agreed that the procedure had not been followed and that it was not up to the Inspector General to communicate his position to me in writing. He then indicated that he had examined the matter and concluded that the procedures were correctly followed and that no further review was needed. He also commented that "based on the Preventive Security information available to the National S7 Review Committee, the Committee had reasonable and probable grounds to believe that the inmate should be transferred."

In my reply to his statement on procedures I stressed that procedures were never in question. What was in question was the decision made in the absence of documentation and I quoted to him from the Preventive Security Report prepared for the Special Handling Unit Committee meeting where it stated:

"It is assumed that the police are in possession of evidence that provides reasonable and probable grounds. . . . It is pointed out that D.P.S. (Director Preventive Security) has no specific evidence contained in National Headquarters records as to the inmate's guilt."

Despite a further letter from the new Commissioner supporting the decision it is still my contention that the Committee did not follow the provisions of the Commissioner's Directive calling for Special Handling Unit decisions to be supported by documentation.

10. Delay in Processing a Claim Against the Crown

The following is an actual history of a claim made against the Crown by an inmate for damages to his personal effects and although the claims process does not normally take as long as this one did, it is included to show that systems can break down and do cause a great deal of frustration for Inmates.

In this particular case the inmate was being transferred. On February 17, 1984 he went by plane and his personal effects, including some fragile equipment, went by transport truck. On arrival at the new institution some of his effects were in a damaged condition. A convening order was apparently issued by the Warden there on March 22, 1984 but no action was taken. A subsequent order was issued on April 18, 1984, which only came to the attention of the Inquiry Officer on May 2, 1984 some ten weeks after the damage. The inquiry was done and a report and related documentation sent to National Headquarters June 12, 1984; however it was not until November 21, 1984 that it was discovered that the material did not contain a claim form signed by the inmate. Also missing was the Bill of Lading for the shipment of the goods.

It was shortly after this that the inmate contacted our office and because the claim had been outstanding for almost ten months I recommended:

That action be taken to process this outstanding claim against the Crown as soon as possible.

I was advised by the Inspector General that after a month the original convening order had been cancelled because of a scheduled absence of the Inquiry Officer, that a new order was issued the following day and that the inquiry was completed on May 7, 1984. While reviewing the inquiry file at National Headquarters a request for the pertinent claim form was made September 11, 1984 and finally received from the institution on December 11, 1984. A request for a copy of the carrier's Bill of Lading was made to the Region on June 21, August 9, September 6 and November 21, 1984. Finally on December 11, 1984 it was confirmed that neither institution could provide a copy of this bill. On January 3, 1985 the Correctional Service submitted a claim against the carrier and also asked the Region to have the damaged effects sent to a service dealer in order to receive an estimate on the cost of repairs or replacement. I was advised that nothing further could be done until responses on these two matters were received.

I wrote back stating that the processing of this claim obviously left something to be desired and a further delay to await the outcome of the Correctional Service's claim against the carrier was unreasonable given the slow progress to date. Consequently I made a further recommendation:

(a) That the inmate be provided immediate re-imbursement upon receipt of the cost estimate from the service dealer;

(b) That the Correctional Service review its present practice with respect to third party settlements.

I also asked to be provided with a reasonable explanation for the excessive delay in the processing of this claim as well as a copy of the written reasons for the delay supplied to the Commissioner and the inmate as required by the pertinent Commissioner's Directive.

After a month and a half, having received no further response I again wrote to the Inspector General requesting a follow up.

On March 22, 1985 I received a letter from him advising that part of the delay was caused by the investigating officer's failure to include the claim because he did not deem it important at the time. Delay was also incurred in attempting to secure a copy of the Bill of Lading which was necessary to substantiate the Crown's claim against the carrier. He went on to say that it was regrettable that there was not an immediate request for the missing claim form and he was gracious enough to apologize for not following up sooner. I was advised that the Correctional Service was awaiting the repair estimates and that to expedite the matter a request had been made to the service dealer to telephone that information when available. My recommendation was to be accepted and the inmate was to receive immediate reimbursement on receipt of the estimate.

In response to my request I received a copy of the written reply to the inmate with the reasons for the delay in processing his claim. I noted that this reply was dated February 19, 1985 which was after our inquiry into the matter and considerably after the claim which was submitted in March, 1984.

Finally I was advised that a legal opinion had been requested concerning the current claims settling practice involving third parties and that Counsel had expressed the opinion that the third party liability to the Service was independent of the Correctional Service's liability to the inmate. This confirmed the immediate reimbursement to the inmate.

On April 17, 1985 I received a further note to the effect that the inmate had received his effects and that he was satisfied with the repairs.

Again, I want to emphasize that the bulk of claims are processed within the time frames set out but on occasion we do find that the system does break down and we were pleased to be able to assist in resolving this particular matter.

11. Inspection of Personal Effects

Following the opening of the new Special Handling Unit at Prince Albert, Saskatchewan a number of inmates newly transferred there complained to our office about being denied an opportunity to inspect their personal property. Their position, which I supported, was that if they were denied access to their effects they could not determine if any of their articles had been lost or damaged in transit and that if such were the case they were not in a position to file a claim against the Crown.

I recommended:

That all inmates transferred to the new Special Handling Unit in Prince Albert be given an opportunity to inspect their personal effects.

In his reply the Inspector General indicated that all grievances relating to this issue had been upheld and in an enclosed memorandum which was also sent to the Regional Deputy

Commissioner and the Warden at Prince Albert, the Director Inmate Affairs supported the inmate's requests as they had a right to view their effects. I was advised that it was general practice to verify after one month whether corrective action had been taken and the Deputy Commissioner was to confirm that it had been and that information was to be conveyed to me.

More than a month passed with no further communication from the Inspector General so I wrote again requesting an up-date. I received same in the form of a copy of a memorandum from the Regional Deputy Commissioner to the Warden requesting that appropriate Standing Orders be put in place to allow all inmates to verify their effects.

I heard nothing further and continued to receive complaints from inmates still not being allowed to inspect their effects which they clearly had a right to do. About two months later the Inspector General wrote to me saying that a Standing Order on the matter was not necessary and would be redundant as the Commissioner's Directives and Divisional Instructions already authorize inmates to inspect their effects, a fact which was never in dispute. I was further advised that the Warden was to comply with the Directive and that the file was now closed.

What we have here is a completely unnecessary five month delay from the time of the memorandum upholding the grievances to an acknowledgement that the Warden will now be complying with the Directive which was in place at the time of the grievances.

We continued to receive complaints and so monitored the situation. By the end of our reporting year, which brought the delay to six months, a check showed that fourteen out of fifty-eight Special Handling Unit inmates had seen their personal effects. The matter was reviewed again with Correctional Service officials and it was estimated by them that it would be another three months before the corrective action was completed, for a total of nine months. Given this example it is not surprising that inmates have little faith in the grievance system.

12. Telephone Access

A number of complaints were received from inmates on the subject of access to telephones and it should be mentioned that the inmate must pay for his calls and that this is a different situation than the earlier recommendation concerning free telephone calls for certain inmates. The pertinent Commissioner's Directive sets out the basic principle that all inmates are to be provided with reasonable and equitable access to telephones. However, the policy detailed in the Annex to that Directive is designed to provide for decreased access to telephones at higher security levels and appears to negate the reasonable and equitable access concept. It is a fact that telephone communication is a vital link with family and friends and especially to those who are involuntarily transferred away from their regions of residence thereby diminishing visiting opportunities.

Our review of both operations and Standing Orders found a noticeable lack of consistency in the designation of who an inmate may call, how the authorization is obtained, who makes the decision and on what basis.

In some institutions the decision with respect to who may be called rests with the Living Unit staff whereas in others, calls are limited to immediate family or other approved visitors as authorized by the Assistant Warden Socialization. At one institution a form had to be completed before a call would be authorized. The form required information about the

person being called such as the middle name, address, date and place of birth and telephone number—information which was not always known by the inmate.

Many institutions had no Standing Order addressing this subject and those that did highlighted the discrepancies. I forwarded to the Commissioner a package containing examples of those discrepancies along with a recommendation:

That The Correctional Service of Canada review its inmate access to telephone policy in all institutions to ensure reasonable and equitable access to all inmates.

After a cursory review of the matter the Commissioner informed me that he was of the opinion that inmates do have reasonable access and that while procedures may vary from one region to another, no real problem exists. This was confirmed by the fact that the matter was seldom the basis for complaints or grievances. The Commissioner concluded by rejecting the recommendation.

I met with him shortly afterwards where the matter was reopened and discussed in detail. I was able to convince him that steps should be taken to standardize the application of the policy. To that end he wrote the Regions requesting that Standing Orders be developed which would reflect application of the policy contained in the Commissioner's Directive.

13. Changes in Authorized Cell Effects

A complaint was received at our office by an inmate who alleged that he was allowed to purchase certain stereo equipment at one institution and when transferred to another was informed that there they did not allow that particular equipment which was subsequently stored with his effects. The inmate wanted reimbursement for the equipment from the Service; however our suggestion to the Warden was that he be allowed to sell it to someone on the outside and that the proceeds of the sale be placed in his current account. At the same time I recommended to the Commissioner:

That Correctional Service policy be reviewed to enable inmates to recover monies spent on authorized items that subsequently become prohibited.

In the reply from the Warden we were supplied with a great deal of information which the inmate had failed to disclose and it was evident that it was not the simple matter which we had been led to believe. The Warden indicated that if the inmate wanted to send the equipment out to friends he could do so but that any monies sent back would have to be placed in his savings account pursuant to the pertinent Commissioner's Directive.

In the reply from the Commissioner he felt that the matter had been adequately responded to and did not feel that it was appropriate to review policy on the basis of an individual complaint.

I had to admit that on the strength of the evidence that later surfaced the recommendation was on shaky ground. However, the issue with respect to whether the proceeds of such a sale could go into the current account was not addressed and I felt that perhaps the existing policy could be made more flexible. After all, the inmate had purchased the article with money from his current account and it would seem logical that if it were disposed of, any sale proceeds should be directed back to that account.

After meeting with the Commissioner and discussing the issue he agreed that monies derived from the sale of personal effects, when those particular items are no longer

authorized, should be placed in the inmate's current account. The change was effected immediately.

14. Notice of Policy Changes

The issuance of interim instructions and particularly their distribution and availability to inmates is a subject that has been raised with our office and we are concerned that in the past inmates have not been informed of some policy changes affecting them. In order to alleviate concerns and provide clear indication of Correctional Service policy in this area I brought the matter forward and recommended:

That any documentation issued for the purpose of altering a practice or policy covered by an existing Commissioner's Directive or Divisional Instruction be brought to the attention of the inmate population and that a copy be placed in each inmate library.

The Commissioner responded quickly to say that modifications to existing instructions and the creation of the National Headquarters Standing Order were being finalized and that a paragraph would be added to ensure that inmates are informed as required.

15. Involuntary Transfers

Our office received a number of emergency telephone calls from relatives with respect to a proposed transfer of a group of inmates from the Ontario to the Quebec region. The allegations made were that the decisions were arbitrary, unfair and without due consideration being given to family situations. As the transfer was to take place within a day or so we had little time to do an extensive investigation. We made some quick inquiries and confirmed that the transfer was to take place involving some twenty inmates who had met the criteria, one of which was family support. We were aware that one of these inmates had five children and felt that a transfer in his case would most certainly result in a hardship and that if this case had escaped the scrutiny of the selection committee perhaps there were others. I took the first opportunity to meet with the Commissioner to recommend:

That prior to transfer, these decisions be reviewed to ensure that no undue hardships result.

A day later I was advised by the Acting Commissioner that "because of the extenuating circumstances in the case of two inmates, their transfers have been cancelled. In both instances the inmates have quite large families and upon a second review it was considered that a transfer at this time would impose an undue hardship."

Well that was fine for those two inmates but what about the rest? The recommendation asked that there be a review of all decisions and the reply did not indicate if in fact such a review was done. I requested clarification on this point and copies of the criterion involved and documentation considered. In the meantime most of the inmates transferred had complained to our office.

Approximately a month and a half later I heard back from the Acting Commissioner who began by saying that the decision to transfer was made to alleviate the severe overcrowding situation in Ontario institutions and to maximize the use of available cells in the Quebec Region. I was advised that after a first effort to identify volunteers, the primary criteria to consider for the involuntary transfers were (a) that the inmate not have family in the immediate area of Kingston; (b) that the inmate not have outstanding criminal charges and (c) that the inmate not be under medical or psychological treatment.

Inmate case histories were examined and the criteria were expanded to include (d) recent admissions and (e) inmates not engaged in program activities. Twenty-nine inmates were deemed to meet the criteria. A committee reviewed their documentation, gave the inmates written notices and opportunity to respond, resulting in twenty-four transfers being approved. As a result of my letter "the cases of two inmates were re-examined resulting in their transfers being cancelled." I was advised that I could not be provided with copies of the documentation considered as this had been forwarded with the inmates to the Quebec Region.

At this point in time the new Commissioner of Corrections had been appointed and I attempted to get a further response from him. It was obvious from the contents of the letter from the Acting Commissioner and from my own information that a review as recommended had not been carried out with respect to those eventually transferred. I advised the Commissioner that either it was felt that a further review was unnecessary in which event the two cases brought to his attention would reflect negatively on the quality of the initial review done, or my recommendation was misunderstood. I again asked for clarification and an acknowledgement that the recommendation had in fact been rejected.

At a subsequent meeting to discuss outstanding issues the new Commissioner was obviously at a disadvantage as he had not been on the scene at the time of the incident and consequently really had no first hand knowledge of what transpired. Under the circumstances we decided to close the file on this matter and agreed to keep our communication channels open.

16. Volunteer Age Restriction

An inmate who was part of a group which had outside volunteers attend their meetings, sent to our office copies of the responses he had received from various levels of the grievance procedure. The grievance was prompted by an arbitrary decision of a Warden who set the age level for volunteers at his institution at twenty-one and in his response the Warden indicated that it was within his jurisdiction to determine the criteria for visitors, two of the most important of which were maturity and ability to make a meaningful contribution. Consequently he determined "that age twenty-one will be part of the criteria for determining visitor maturity." The decision was supported at the Regional level. The response at the third level unfortunately did not even deal with the issue of setting an arbitrary age requirement for volunteers. Instead it stated, "that because there was no specific visitor you had requested to be a volunteer who did not meet the age requirement, I fail to see how this restriction affects you personally.... Grievance rejected."

The volunteers were also unhappy with the decision and we also received correspondence on their behalf pointing out that most of them were undergraduate students between the ages of eighteen and twenty-one and that the decision in question eliminated the majority of them and consequently imposed a hardship on the inmates by limiting their contact with the outside world.

In a letter to the Commissioner I questioned the arbitrary nature of the decision and stressed that such a blanket exemption solely on the basis of age was contrary to the requirement detailed in the pertinent Commissioner's Directive that applications for volunteer status be reviewed and suitability be determined on an individual basis. I therefore recommended:

That the existing age requirement of twenty-one years for volunteers at a certain penitentiary be reconsidered.

I also questioned the logic of the third level response rejecting the grievance, suggesting to the contrary that such a decision potentially affects all inmates within the institution.

In his response the Commissioner indicated that the Deputy Commissioner for the Region would be writing to the Wardens and instructing them that each case was to be considered individually and that age alone is not to be used as a universal criterion for rejection. He also dealt with the third level response indicating that an inmate may only grieve a matter that has involved him personally and in this case the inmate had not stated that it had. Even though the restriction had the potential to affect all inmates, if grievances were allowed concerning any issue that could possibly have an impact, then the Correctional Service would face an administrative nightmare based on conjecture.

I would agree with this principle and could accept the rationale if the complainant had not been a member of the group that the volunteers were meeting with. However, the important thing is that the age restriction was removed.

CONCLUSION

It was abundantly clear from previous reports of this office that we had been experiencing long delays in having the Correctional Service deal effectively and conclusively with a number of my recommendations. My last report indicated that there were still fifteen such recommendations from the previous year, that is to say 1982-83, plus four from the 1983-84 reporting year.

The appointment of the new Commissioner of Corrections early in 1985 seemed an opportune time to change all that and early discussions with Mr. LeBlanc were both frank and encouraging. I received an assurance that the backlog of outstanding issues would be dealt with as soon as possible and that an attempt would be made to deal with our office in a more timely fashion. I welcomed this new spirit of cooperation and during the last few months of the reporting year was pleased with the improved relationship between our offices.

I can report that most of the log jam in responding to previous recommendations has now been cleared and decisions taken one way or another. We both agreed that the bottom line in dealing with complaints is reasonableness and fairness and in that regard the Commissioner has agreed to personally review any situations which I might bring to his attention where either of these two elements has not been incorporated into the decision making process.

Appendix A

P.C. 1977-3209

Certified to be a true copy of a Meeting of the
Committee of the Privy Council, approved by
His Excellency the Governor General on
the 15 November, 1977

WHEREAS the Solicitor General of Canada reports as follows:

That, as a result of the resignation of Miss Inger Hansen from the position of Correctional Investigator as of October 1, 1977 the temporary appointment of Mr. Brian McNally of Ottawa to the position of Correctional Investigator was made by Order in Council P.C. 1977-2801 of 29th September, 1977; and

That, in order to meet the demands of the Office of the Correctional Investigator, it is advisable to proceed to make a permanent appointment to the position as quickly as possible.

Therefore, the Committee of the Privy Council, on the recommendation of the Solicitor General of Canada advise that the temporary appointment of Mr. Brian McNally to the position of Correctional Investigator be terminated and pursuant to Part II of the *Inquiries Act*, Mr. Ronald L. Stewart of the City of Ottawa be appointed as a Commissioner, to be known as the Correctional Investigator to investigate, on his own initiative, on request from the Solicitor General of Canada, 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 of Canada, 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,

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

(c) concerning any subject matters or conditions falling under the responsibility of the Solicitor General of Canada that extend to and encompass the preparation of material for consideration of the National Parole Board,

and the Commissioner need not investigate if

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

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

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

1. that the Commissioner be appointed at pleasure;
2. that the Commissioner be paid at the salary set out in the schedule hereto;
3. that the Commissioner be authorized to engage, with the concurrence of the Solicitor General of Canada, the services of such experts and other persons who 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 of Canada regarding problems investigated and action taken.

Certified to be a true copy

Clerk of the Privy Council

Appendix B

SUMMARY OF RECOMMENDATIONS
TO THE CORRECTIONAL SERVICE OF CANADA
June 1, 1984—May 31, 1985

1. (a) That an immediate review of the processing of inmate grievances at the third level be undertaken.

   (b) That the results of that review be provided to this office.

   (c) That the third level processing of grievances be adjusted so as to conform to the requirements of the Directive

Issued	5-6-84	
	25-6-84	— acknowledged
	30-7-84	— information provided
Reminder	10-10-84	
	12-10-84	— information provided
	18-10-84	— (a) rejected
		(b) not applicable
		(c) not dealt with
Reissued	1-11-84	
	6-11-84	— acknowledged
	14-1-85	— accepted

2. (a) That an immediate review of the processing of appeals be undertaken and where necessary adjustments be made to ensure compliance with the Divisional Instruction.

   (b) That the results of that review be forwarded to this office.

Issued	5-6-84	
	25-6-84	— acknowledged
	30-7-84	— information provided

Reminder	10-10-84	
	12-10-84	— information provided
	18-10-84	— (a) rejected
		(b) not applicable
Reissued	1-11-84	
	6-11-84	— acknowledged
Reissued	19-11-84	
	3-1-85	— acknowledged
	10-1-85	— information provided
	14-1-85	— partially accepted

3. That the Visitor Consent to Search Form be updated to adequately reflect the amendment to Section 41(1) of the Penitentiary Service Regulations.

Issued	5-6-84	
	25-6-84	— acknowledged
	30-7-84	— accepted
	19-9-84	— information provided
	22-11-84	— implemented
Follow up	28-11-84	
	18-12-84	— information provided
	31-12-84	— implemented

4. That the privilege of free monthly telephone calls home for inmates from Newfoundland and Labrador incarcerated in federal institutions in the Atlantic region be extended to include all inmates from those places regardless of the region where they are situated.

Issued	19-6-84	
	29-6-84	— acknowledged
	30-8-84	— rejected
Reissued	13-11-84	
Reminder	12-12-84	
	18-12-84	— rejected but referral to Minister
Reissued	21-3-85	
	14-5-85	— rejected

5. (a) That The Correctional Service of Canada review its present segregation/dissociation operations to ensure that they are in compliance with the requirements enunciated in the Commissioner's Directives

(b) That The Correctional Service of Canada cease immediately the practice of double bunking in segregation and dissociation areas.

Issued	21-6-84	
	22-7-84	— acknowledged
Reminder	31-7-84	
	6-9-84	— (a) accepted
	10-1-85	— information provided
	20-2-85	— information provided
Reissued	1-3-85	
	21-5-85	— (b) rejected

6. That immediate action be taken to re-institute the policy of having inmates co-sign Case Management Reports.

Issued	28-11-84	
	5-12-84	— acknowledged
	10-1-85	— information provided
	18-1-85	— information provided
	27-2-85	— information provided
	21-3-85	— information provided
	26-4-85	— information provided

7. That the admissions policy to the Special Treatment Services Program at the Treatment Centre in Kingston should be reviewed to ensure an increased responsiveness to both the needs of the individual inmate and the recommendations of the National Parole Board and the institutional personnel involved with the case.

Issued	4-10-84	
	12-10-84	— acknowledged
	13-11-84	— accepted and implemented

8. That a follow up be done with respect to the privacy concerns of inmates.

Issued	5-10-84	
	12-10-84	— acknowledged
	16-11-84	— information provided
Request for information	10-1-85	
	4-3-85	— information provided

9. That the decision to place a certain inmate in a Special Handling Unit be the subject of the review process.

Issued	5-10-84	
	12-10-84	— acknowledged
	14-11-84	— rejected
Reissued	28-11-84	
Reissued	17-12-84	
	20-12-84	— acknowledged
	8-1-85	— rejected
Reissued	14-1-85	
	25-2-85	— rejected

10. That action be taken to process an outstanding claim against the Crown as soon as possible.

Issued	13-12-84	
	19-12-84	— acknowledged
	23-1-85	— information provided
Reissued	1-2-85	
Reminder	14-3-85	
	22-3-85	— accepted
	17-4-85	— implemented

11. That all inmates transferred to the new Special Handling Unit in Prince Albert be given an opportunity to inspect their personal effects.

Issued	14-1-85	
	18-1-85	— acknowledged
	18-1-85	— accepted
Request for information	25-2-85	
	28-2-85	— information provided
	4-4-85	— previous information to be ignored

12. That The Correctional Service of Canada review its inmate access to telephone policy in all institutions to ensure reasonable and equitable access to all inmates.

Issued	1-4-85	
	7-5-85	— rejected
Reissued	28-5-85	— accepted

13. That Correctional Service policy be reviewed to enable inmates to recover monies spent on authorized items that subsequently become prohibited.

Issued	22-3-85	
	3-4-85	— information provided
	7-5-85	— information provided
	29-5-85	— accepted and implemented

14. That any documentation issued for the purpose of altering a practice or policy covered by an existing Commissioner's Directive or Divisional Instruction be brought to the attention of the inmate population and that a copy be placed in each inmate library.

Issued	1-4-85	
	6-5-85	— accepted

15. That prior to transfer, the decision to transfer certain inmates to Quebec region be reviewed to ensure that no undue hardships result.

Issued	7-1-85	
	9-1-85	— some action taken
Clarification sought	24-1-85	
	5-3-85	— information provided
Clarification sought	1-4-85	
	15-5-85	— rejected

16. That the existing age requirement of twenty-one years for volunteers at a certain institution be reconsidered.

Issued	7-5-85	
	26-5-85	— accepted and implemented