



Office of the Correctional Investigator

51st Annual Report to Parliament (2023-2024)

Tabled before Parliament on October 29, 2024

*Summary of Major Investigations, Findings, and
Recommendations*



Office of the
Correctional
Investigator

Bureau de
l'enquêteur
correctionnel

Canada

Overview

1. Correctional Investigator's Message focusing on the comprehensive nature of this year's national investigations, and the importance of effective engagement with CSC in advancing a shared goal of safe, effective and humane care and custody
2. Several updates on issues of national concern, including: risk assessment and classification of Indigenous Peoples, a review of CSC's internal complaints and grievances system, and a review of the impact of the Engagement and Intervention Model (EIM) on use of force incidents.
3. A case study into the death of an incarcerated individual at a Regional Treatment Center (Millhaven).
4. Two national-level investigations:
 - i. An Investigation of the Standalone Male Maximum-Security Penitentiaries in Federal Corrections
 - ii. Hope Behind Bars: Managing Life Sentences in Federal Custody
5. Total of 28 recommendations, all directed to the Correctional Service of Canada.
6. Correctional Investigator's Outlook for federal corrections in 2024-25.



2023-2024 OCI Annual Statistics

- 7.5 M budget
- 34 Full Time Employees
- 230 days spent in facilities
- 4,299 complaint cases
- 1,258 interviews with prisoners and staff
- 464 use-of-force reviews
- 104 deaths in custody and serious bodily injury reviews
- 19,005 contacts (incl. toll-free phone)



National Updates

- Risk Assessment and Classification with Indigenous Peoples since *Ewert v. Canada* (2018)
- The Offender Complaint and Grievance Process
- An Investigation of Quality of Care Reviews for Natural Cause Deaths in Federal Custody
- Population Pressures in Women's Institutions: Overreliance and Impacts of Interregional Transfers
- Six Years After the Engagement and Intervention Model (EIM): Mixed Results for Use of Force at Standalone Male Maximum-Security Institutions and with Vulnerable Prisoners
- Promising Practices in Indigenous Corrections



Case Study: Death at the Regional Treatment Centre – Millhaven

Purpose

Identify the systemic factors, gaps and compliance issues that contributed to the death of Mr. Bissonnette while in custody.

Findings

This incident needs to be understood in the context of significant, persistent, cumulative and recurring systemic issues:

- Inadequate quality of security patrols and wellness checks.
- Critical lapses in the continuity of care.
- Security-driven and punitive approaches to mental health needs.
- Operation of the RTC as an extension of the maximum-security complex.
- Deficient physical infrastructure for managing complex mental health needs.
- Inappropriate selection, recruitment and training of staff to work in CSC treatment centres.
- Problematic oversights, confounding governance structures, and role confusion with Health Services and Security/Operations.



Case Study: Death at the Regional Treatment Centre – Millhaven (continued)

Recommendations to CSC

- Release immediately the Independent Observer’s evaluation of the National Board of Investigation (NBOI) and a Case Summary of the NBOI facts and findings
- Ensure an independent and external mental health expert conduct a full compliance review of patient safety at RTC Millhaven.
- Evaluate the suitability and feasibility of installing in-cell vital sign remote monitoring technologies in all high(er)-risk placement areas of federal prisons.

Re-issuing of previous recommendations

- Ensure security staff working in an RTC are carefully recruited, selected, trained and fully competent to carry out their duties in a secure psychiatric hospital environment.
- Expand alternatives to incarceration options and increase bed space to facilitate the transfer of federally sentenced individuals with significant mental health needs in external community psychiatric facilities.



National Systemic Investigations



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An Investigation of the Standalone Male Maximum-Security Penitentiaries in Federal Corrections

Purpose

Assess the six maximum-security facilities for men to identify deficiencies, best practices, and determine if the maximum-security environment effectively balances public safety requirements with rehabilitative and reintegrative objectives.

Findings

- No clear statement of purpose for maximum-security institutions.
- Overall lack of reintegrative and rehabilitative purpose has turned these facilities into places of *incapacitation* and *containment*.
- Although these facilities house approximately 10% of the federal custody population, they account for 46% of all use of force incidents.
- Overreliance on creating and managing subpopulations to address perceived security risks has adverse effects.
- Emphasis on security and confinement hinders staff engagement with the population, limits dynamic security practices, and restricts opportunities for group movement, assembly, and recreation.
- Implementation of the Structured Intervention Unit (SIU) has led to the monopolization of resources, often at the expense of other units and resulting in population management issues on a national scale.
- Individuals are poorly prepared to cascade to medium-security institutions and/or be released directly into the community.



An Investigation of the Standalone Male Maximum-Security Penitentiaries in Federal Corrections (continued)

Select Recommendations to CSC

- Devise and implement a national subpopulation management strategy by the end of the fiscal year
- Ensure institutional routines are established to allow all incarcerated persons have access to primary large yard spaces daily; all living units are equipped with basic amenities and seating; and, policies related to institutional movement be reviewed to ensure that they no longer limit individuals from engaging in their Correctional Plan.
- Develop a national policy regarding complex SIU cases to make the transfer processes more efficient and equitable.
- Increase meaningful employment and apprenticeship opportunities, while mandating basic oversight of these jobs.
- Provide consistent access to Indigenous services, programs and supports, including establishing and maintaining Pathways programs, at each of these institutions.
- Assign dedicated Release Coordinators and bolster policy to establish clear responsibilities surrounding discharge planning.



Hope Behind Bars: Managing Life Sentences in Federal Custody

Purpose

Examine key issues in case management, security reclassification, and sentence planning for those with life sentences at medium security institutions.

Findings

Lifers are kept at higher security levels for longer periods with no clear rehabilitative or reintegrative purpose due to several serious issues with case management and sentence planning:

- Individuals are languishing in medium-security well past parole eligibility dates.
- A biased Security Reclassification Scale (SRS) and inadequate assessments of risk disadvantage Lifers in several ways (temporary absences, delayed correctional plan updates, arbitrary escape risk assessments, delays in psychological risk assessments).
- Unreasonable behavioural expectations are placed on Lifers, with non-compliance often being seen as indicative of higher risk.
- Inadequate Integration of “Four Phases of a Life Sentences” into case management and sentence planning.
- Overprogramming and inappropriate use of correctional interventions as “checklist items” for transfers.



Hope Behind Bars: Managing Life Sentences in Federal Custody (continued)

Select Recommendations to CSC

- Review and revise security reclassification processes to provide more support to staff preparing risk assessments and recommendations.
- Review policies around Correctional Plan updates to reduce delays and discontinue the imposition of unreasonable behavioural expectations.
- Review the Sentence Planning process and provide support to staff in developing sentence plans for Lifers.
- Draw on expertise of national organizations to provide support to Lifers from intake to community release.
- Ensure the National Lifer Strategy integrates these findings, is responsive to the experiences of Lifers, draws from consultations with a range of voices, and is made public with specific timelines.



Other Recommendations to CSC

- **Risk Assessment and Classification with Indigenous Peoples:** CSC report publicly on concrete actions regarding how and when it will: acquire independent expertise to conduct empirical, primary research on this subject to inform decision-making with Indigenous offenders; and, develop new assessment and classification tools for federally sentenced Indigenous peoples that include culturally responsive and informed indicators of risk and need
- **The Offender Complaint and Grievance Process:** ensure proper and sustained focus, effort, and priority will be placed on resolving complaints and grievances informally, and at the lowest level possible.
- **Quality of Care Reviews:** the Quality of Care Review process be subject to an independent audit chaired by an outside medical examiner.
- **Population Pressures in Women's Institutions:** CSC develop a National Population Management Strategy for Women.
- **Engagement and Intervention Model:** publicize measures taken to reduce the use of force; increase capacity to respond to incidents involving mental health and physical distress; and, ensure violations of the law and/or policies do not go unchecked.



Correctional Investigator's Outlook

Areas of OCI Focus for 2024-2025

- Continue to build and strengthen the organization with a view to long-term sustainability.
- Comprehensive and in-depth investigations on issues related to mental health in federal corrections.
- Continue to monitor progress on prior government commitments to:
 - Advance a prevalence study on sexual coercion and violence in federal prisons;
 - Conduct a five-year review of Structured Intervention Units; and,
 - Implement new regulations on the use of dry cells and body scanners and practices;



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