



Correctional Service
Canada

Service correctionnel
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SAFETY, RESPECT
AND DIGNITY
FOR ALL

LA SÉCURITÉ,
LA DIGNITÉ
ET LE RESPECT
POUR TOUS

AUDIT OF ADMINISTRATIVE SEGREGATION

Internal Audit Branch

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Approved by Audit Committee

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Canada

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EXECUTIVE SUMMARY

A well-functioning administrative segregation program is essential to the effective operation of the Correctional Service of Canada's (CSC's) institutions. It contributes to the safety and well-being of both inmates and staff by maintaining a manageable security environment within the institution. As per the Corrections and Conditional Release Act (CCRA), the purpose of administrative segregation is to keep an inmate from associating with the general inmate population in cases where the inmate jeopardizes or puts at risk the security of the institution, the safety of other inmates or staff, or his or her own safety is at risk.

CSC's 2006-07 Report on Plans and Priorities¹ has identified safety and security for staff and inmates in institutions as one of its five priorities. As segregation contributes to the maintenance of a safer and more secure environment, this audit directly addresses this priority. In addition, the Office of the Correctional Investigator (OCI), in both his 2004-05 and 2005-06 Annual Reports, has expressed concerns regarding the number of inmates in segregation, as well as the length of time spent in segregation. In order to "*provide assurance that our management of segregation is conducted to the highest professional standard*"², the Commissioner of CSC committed to the completion of an audit of administrative segregation during 2006-07. The objectives established for the audit were as follows:

- To assess the adequacy of the overall control framework for the management of administrative segregation.
- To determine whether the initial placement of inmates is supported.
- To determine whether continued segregation is supported and reasonable efforts are being made to reintegrate inmates, and to assess the level of compliance to the administrative requirements of the segregation process related to the reviews/assessments, notification and sharing of information with inmates, as well as the recording of information in the Offender Management System (OMS).
- To determine whether the conditions of confinement of inmates in segregation meet the intent of the law.

In order to conclude on the above objectives, we reviewed the controls and supporting documentation in place at each institution visited. We visited institutions in all five regions as well as each of the five Regional Headquarters (RHQ) and National Headquarters (NHQ). We also examined the conditions of confinement in each segregation unit visited to verify that all of the institutions visited were meeting the expectations found in the Corrections and Conditional Release Act (CCRA), the Corrections and Conditional Release Regulations (CCRR), and Commissioner's Directive 590, *Administrative Segregation (CD590)*.

Overall Conclusion

The results of the audit indicate that, in general, CSC manages the administrative segregation of both men and women inmates to a high professional standard, including:

¹ [Report on Plans and Priorities 2006-07, Correctional Service Canada](#)

² Letter to the Office of the Correctional Investigator from the Commissioner of CSC, May 8, 2006.

- An overall control framework to manage administrative segregation is in place;
- initial placements to segregation and subsequent decisions to maintain inmates in segregation are properly authorized and supported, and CSC staff work diligently to limit the length of inmate stays in segregation despite significant impediments to reintegration;
- there is a high level of compliance with CSC's requirements relating to the timeframes for the 5th working day, 30-day, and 60-day reviews; and
- the rights and privileges of inmates in segregation are protected, and they are provided with safe, humane, and hygienic living conditions.

Further, the results of our audit as they pertain to women's institutions are consistent with the findings of the recent review conducted by the Expert Committee on women's corrections³, who found that "progress has been made, in our view, over the ten-year period, considering the regard for human rights and respect for the Rule of Law that has been instilled in the segregation review and management process. Furthermore, we are convinced that segregation is used as a last resort at the women's facilities."

At the same time, however, the audit identified several areas where improvements can and should be made, in both men's and women's institutions, to ensure that:

- policies and procedures are up to date;
- staff involved in segregation have a clear and consistent understanding of policies, procedures and responsibilities;
- monitoring of the segregation process is enhanced at the national level;
- follow-up of corrective action taken to address deficiencies identified during regional audits is enhanced at the regional level;
- alternatives and reintegration options are appropriately documented in OMS;
- there is a clear understanding of content requirements for 30-day psychological assessments in cases where inmates refuse to be seen by the psychologist; and
- documentation is available and clearly demonstrates that actions such as the sharing of information and the notification processes have been carried out as per requirements.

Recommendations have been made in the report to address these areas of improvement. Management has reviewed and agrees with the findings contained in this report and a Management Action Plan has been developed to address the recommendations (see Annex D).

³ [Moving Forward with Women's Corrections, The Expert Committee Review of the Correctional Service of Canada's Ten-Year Status Report on Women's Corrections 1996-2006 \(February 2007\)](#)

1.0 INTRODUCTION

A well-functioning administrative segregation program is essential to the effective operation of CSC institutions. It contributes to the safety and well-being of both inmates and staff by maintaining a manageable security environment within the institution. As per the Corrections and Conditional Release Act (CCRA), the purpose of administrative segregation is to keep an inmate from associating with the general inmate population. Legislation and internal policy allows for two types of segregation, voluntary and involuntary. An inmate may be voluntarily segregated if the institutional head believes, based on reasonable grounds, that the inmate's life is in danger in the general population, and the inmate requests segregation. In the case of involuntary segregation, the institutional head may confine an inmate to segregation when he or she believes, based on reasonable grounds, that the inmate jeopardizes or puts at risk the security of the institution, the safety of other inmates or staff; may interfere with an ongoing investigation; or his or her own safety is at risk.

Men's institutions at the medium and maximum security levels generally have specific segregation units where all inmates on segregation status are confined. For men's minimum-security institutions, agreements are signed with nearby medium-security institutions allowing for the minimum to use the segregation unit as needed. As the five women's institutions are multi-level security facilities⁴, women inmates at all security levels can be segregated in the specific segregation unit within the facilities. The specific units ensure that the daily activities and/or restrictions of the segregated inmates are managed more effectively. If necessary, inmates may be segregated in a cell in the general population units, but still must be managed according to legislative and policy requirements.

Segregation of an inmate has serious implications as it restricts an inmate's right to freedom of movement and association more than is already restricted by incarceration. Once an inmate is placed in segregation, staff must balance the need for the safety and security of the institution, staff, and other inmates while seeking the best way to reintegrate the segregated inmate into the general inmate population. Given the limitation of freedoms imposed on an inmate while in segregation, it is also essential that the length of time spent in segregation is limited. In addition, all rights and privileges of the segregated inmate must be respected at all times, with the exception of those that can only be enjoyed in association with other inmates or cannot be given due to the limitations of the specific segregation area or security requirements.

The legislative and policy requirements for segregation are applicable to both men and women inmates. For a detailed listing of the requirements of the segregation process for both voluntary and involuntary segregation placements see Annex A.

Due to the high level of restriction and isolation related to segregation, many external and internal reviews and research reports over the past ten years have included a segregation component. Some of these reports are listed in Exhibit 1, in chronological order. In addition, the

⁴ Multi-level security facilities house minimum, medium, and maximum security inmates.

Office of the Correctional Investigator has commented on administrative segregation practices in a number of its Annual Reports⁵.

Exhibit 1
Administrative Segregation Reports

- [Report of the Commission of Inquiry into Certain Events at The Prison for Women in Kingston \(April 1996\);](#)
- [The Task Force Report on Administrative Segregation - Commitment to Legal Compliance, Fair Decisions and Effective Results \(March 1997\) - CSC;](#)
- [Case Characteristics of Segregated Offenders in Federal Corrections \(March 1997\) - CSC;](#)
- [The Psychological Effects of 60 Days in Administrative Segregation \(March 1999\) - CSC;](#)
- [National Internal Audit of Administrative Segregation \(December 2002\) - CSC;](#)
- [Canadian Human Rights Commission \(CHRC\), Protecting Their Rights – A Systemic Review of Human Rights in Correctional Services for Federally Sentenced Women \(December 2003\);](#)
- [Federally Sentenced Women in Administrative Segregation: A Descriptive Analysis \(May 2004\) - CSC; and](#)
- [The Ten-Year Status Report on Women’s Corrections 1996-2006 \(April 2006\) - CSC;](#)
- [Moving Forward with Women's Corrections, The Expert Committee Review of the Correctional Service of Canada's Ten-Year Status Report on Women's Corrections 1996-2006 \(February 2007\).](#)

Overall, these reports have provided CSC with recommendations to improve segregation practices, or provided an update on the status of improvements. As a result, policies and practices continue to be revised and improved.

It should be noted that, specifically in the area of women’s corrections, the recent external report of the Expert Committee⁶ recognizes that progress has been made over the past ten years with respect to segregation in women’s institutions, specifically “considering the regard for human rights and respect for the Rule of Law that has been instilled in the segregation review and management process. Furthermore, we (the Expert Committee) are convinced that segregation is used as a last resort at the women's facilities”.

Administrative Segregation Statistics

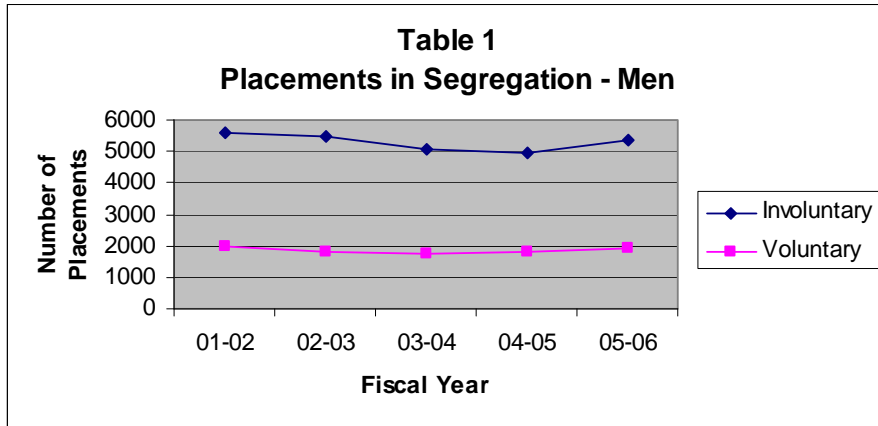
The numbers of placements in segregation for the overall inmate population have remained relatively stable over the past five years, averaging approximately 7,440 placements per year. Tables 1 through 4 below contain detailed information on segregation in both men’s institutions and women’s institutions.

⁵ [The Office of the Correctional Investigator's Annual Reports](#)

⁶ [Moving Forward with Women's Corrections, The Expert Committee Review of the Correctional Service of Canada's Ten-Year Status Report on Women's Corrections 1996-2006 \(February 2007\)](#)

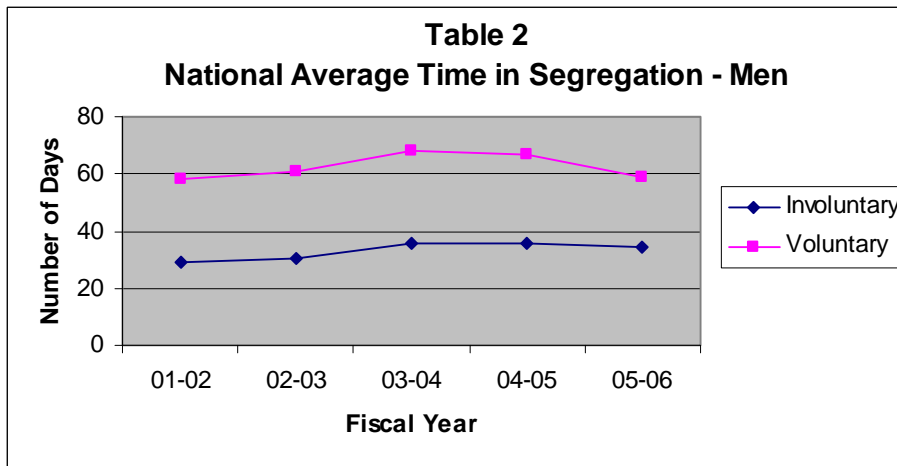
Men's Institutions

On any given day, there are approximately 800 men in segregation, accounting for approximately 6.7% of the total men's population. Over the past five years, the average number of placements in men's institutions has been approximately 7,150 per year⁷. As indicated in Table 1, the number of involuntary placements in men's institutions represents almost 75% of the total placements, while voluntary placements represent just over 25%.



Source: Figures reported obtained from Performance Management, extracted from OMS

The average length of time spent in segregation is often longer for voluntarily segregated inmates than involuntarily segregated inmates. As can be seen from the table below, over the past five years the length of stay for voluntary placements has averaged 63 days, which is almost twice as long as involuntary segregations which average 33 days.

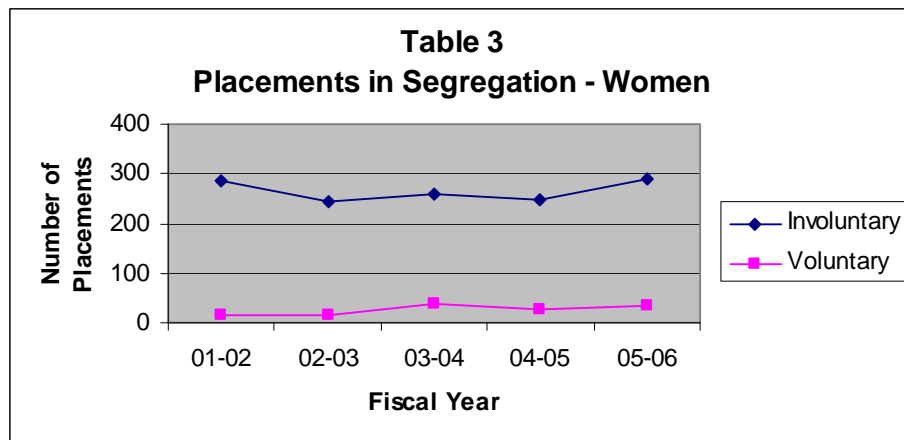


Source: Figures reported obtained from Performance Management, extracted from OMS

⁷ This number does not represent 7,150 individual inmates, one inmate may be placed more than once over the course of a year.

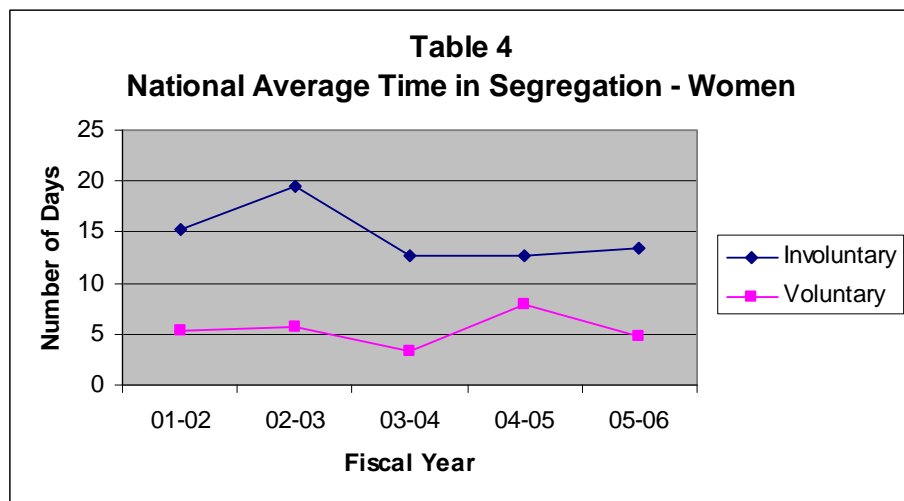
Women's Institutions

On any given day, there are approximately 10 women in segregation, accounting for approximately 2.8% of the total women's population. Over the past five years, the average number of placements in women's institutions has been 290 per year. As indicated in the Table 3, involuntary placements represent approximately 91% of the total placements for women, while voluntary represent less than 9%.



Source: Figures reported obtained from Performance Management, extracted from OMS

The average length of time spent in segregation is longer for involuntarily segregated inmates than voluntarily segregated inmates. As can be seen from Table 4, over the past five years the length of stay for voluntary placements has averaged 5 days, whereas involuntary segregations average 15 days.



Source: Figures reported obtained from Performance Management, extracted from OMS

It should be noted that the Women Offender Sector has developed a Policy Framework called the Management Protocol.⁸ This Protocol is used to address very specific cases where women

⁸ Women's Management Protocol, December 2002.

offenders are spending a longer period of time in segregation as a result of being involved in an incident or a series of incidents that caused serious harm to others or seriously jeopardized the safety of others. At the time of publishing the Ten-Year Status on Women's Corrections⁹ in April 2006, there were a total of four women, or 1% of the total women's population, on the Protocol. The Protocol is based on the same legislation and policies as the administrative segregation process, however it includes a number of steps to gradually reintegrate the women into the general population, while addressing their needs and risks. The Protocol has been developed to "provide the structure, monitoring and supervision required to ensure safety of staff, other inmates and the public, as well as the opportunity for the inmate to regain her credibility and slowly reintegrate back into the regular maximum security population".

Though several reviews and research reports have been conducted related to segregation, there is little information that directly details the reasons for the difference in the number of placements and length of stay that is seen between men and women. Interviews and observations made during this audit suggest that the operational realities differ between men's and women's institutions and there are several factors contributing to the differences. For example;

- the need for voluntary segregation appears to be lower for women as the factors which cause an inmate to request segregation (such as the inmate being in debt or having incompatibles) are not as prevalent among women inmates;
- both involuntary and voluntary segregations may be lower due in part to the intensive intervention that is seen in the women's facilities. This higher level of staff intervention in the women's institutions may help to de-escalate behaviours before they result in situations that necessitate segregation;

It is also noted that the women's institutions are multi-level security facilities. Should women from the minimum or medium-security units behave in a manner that results in segregation and requires a reclassification to maximum-security, they are often transferred to the maximum security unit within the same institution. While transfers to other institutions and/or regions often take a long time to facilitate for both men and women, the ability of the women's institutions to transfer within the facility may shorten the length of stay for these women inmates.

Administrative Segregation Contributes to a Safe and Secure Environment

CSC's *2006-07 Report on Plans and Priorities*¹⁰ (RPP) states that the level of violence in institutions, namely the annual rate of major security incidents and staff assaults, has remained constant over the past five years. There continues to be a high number of inmates with substance abuse problems (80% overall), which adds to the potential for institutional violence that is associated with illicit drugs. In addition, according to the *Changing Federal Offender Population, Profiles and Forecasts 2006*¹¹, the number of inmates with gang affiliations continues to increase (up 33% for men inmates and 85% for women inmates since 1997). These are key factors that influence the number of inmates who either should be segregated in order to protect others or who need to be protected because they are threatened. Although increased

⁹ [Ten-Year Status Report on Women's Corrections 1996-2006](#)

¹⁰ [CSC Report on Plans and Priorities, 2006-07](#)

¹¹ [The Changing Federal Offender Population, Profiles and Forecasts, 2006](#)

efforts are being made by CSC to maintain safe and secure institutions and to reintegrate segregated offenders, it is likely that, given this inmate profile, the number of inmates placed in segregation will remain constant.

The RPP has also identified safety and security for staff and offenders in institutions as one of CSC's five priorities. As segregation contributes to the maintenance of a more safe and secure environment, this audit directly addresses this priority. In addition, the OCI, in both his 2004-05 and 2005-06 Annual Reports, has expressed concerns regarding the number of inmates in segregation, as well as the length of time spent in segregation. In order to "*provide assurance that our management of segregation is conducted to the highest professional standard*"¹², the Commissioner of CSC committed to the completion of an audit of administrative segregation in 2006-07. This audit meets that commitment.

2.0 AUDIT OBJECTIVES AND SCOPE

2.1 Audit Objectives

The audit objectives were:

- To assess the adequacy of the overall control framework for the management of administrative segregation.
- To determine whether the initial placement of inmates is supported.
- To determine whether continued segregation is supported and reasonable efforts are being made to reintegrate inmates, and to assess the level of compliance to the administrative requirements of the segregation process related to the reviews/assessments, notification and sharing of information with inmates, as well as the recording of information in OMS.
- To determine whether the conditions of confinement of inmates in segregation meet the intent of the law.

Specific criteria related to each of the objectives are included in Annex B.

2.2 Audit Scope

The audit was national in scope and included visits to all five regions and NHQ. We conducted a review of cases for both men and women inmates segregated during the period of April 1 2005 to June 30 2006.

The scope of this audit did not include a review of disciplinary segregation¹³ in these institutions as this form of segregation does not have the same legislative, policy, or procedural requirements as administrative segregation. Further, with respect to the Women Offender Sector Management

¹² Letter to the Office of the Correctional Investigator from the Commissioner of CSC, May 8, 2006.

¹³ Disciplinary segregation is a sanction which may be used by CSC when an inmate has been found guilty of a serious disciplinary offence committed while the inmate is incarcerated, as opposed to administrative segregation which is not used as a form of discipline.

Protocol, the audit did not assess the effectiveness of the Protocol as a correctional intervention. The audit focused on assessing its compliance with the legislative requirements under the CCRA and CCRR.

3.0 AUDIT APPROACH AND METHODOLOGY

Audit work included an assessment of processes and procedures associated with the overall framework for administrative segregation. We conducted site visits, which included document reviews, direct observation, and interviews with managers, staff, and members of Inmate Committees. We also assessed the progress made in addressing the recommendations from the 2002-03 National Segregation Audit.¹⁴

Fourteen institutions were selected based on such criteria as the highest total number of segregation placements and the highest total number of long-term¹⁵ segregation cases at a particular institution. Eight sites, including five women's facilities, were added due to the unique nature of the sites. Annex C lists all institutions visited.

At each institution selected we examined a sample of files (described below) in the Offender Management System (OMS) as well as information in the hard-copy files. All information concerning inmates is input into OMS, except for meeting minutes and in-house developed forms. OMS also generates all of the hard-copy documents to be placed on the hard-copy files, including the Segregation Review Board (SRB) minutes. Hard-copy documents are printed in order to obtain signatures of managers, staff and inmates. Other documents reviewed at each institution included segregation visitor logs, Institutional Standing and Post Orders and inmate grievances. At the regional level, the audit team reviewed any Regional Segregation Audits that had been conducted over the audit period.

Two representative samples of inmate files were taken for the audit. We drew the first sample in order to assess the segregation placement process. We selected a second sample in order to ensure the review of a representative number of long-term segregation cases. The files reviewed included inmates incarcerated at one of the institutions visited. In total, we reviewed 161 placement files (133 men's files, and 28 women's files) and 100 long-term segregation files (95 men's files and 5 women's files¹⁶).

Upon completing each regional visit, the team held exit meetings in each institution and RHQ to debrief senior management on relevant findings. In addition, a debriefing was held at NHQ with the Assistant Commissioner Correctional Operations and Programs and the Deputy Commissioner for Women.

¹⁴ [National Administrative Segregation Audit Report, December 2002](#)

¹⁵ For the purpose of the audit, long-term cases were defined as inmates being held in segregation for more than 90 days.

¹⁶ As noted previously, long-term segregation of women is infrequent. Over the period of April 1 2005 to June 30 2006 there were a total of 9 women inmates in segregation for more than 90 days across the country. For our audit, we reviewed five of these cases.

The audit team consisted of members of Internal Audit Branch augmented by representatives from each region with significant knowledge and experience in the segregation processes.

4.0 AUDIT FINDINGS AND RECOMMENDATIONS

The findings and recommendations contained in this report are applicable to both men's and women's institutions, unless otherwise specifically noted.

4.1 MANAGEMENT FRAMEWORK FOR ADMINISTRATIVE SEGREGATION

We assessed the adequacy of the management framework for administrative segregation. This included a review of policies and procedures in place, roles and responsibilities, monitoring processes and the availability and delivery of orientation and training.

4.1.1 Policies and Procedures

We expected that management had established departmental policies and procedures on administrative segregation which are in compliance with sections 31 to 37 of the CCRA, sections 19 to 23 of the Corrections and Conditional Release Regulations (CCRR) and cover the various operational requirements of CSC. CSC establishes national policies in the form of Commissioner's Directives (CDs) which must be implemented by all regions and all operational units. At the local level, each institution is responsible for creating Institutional Standing Orders to manage site specific operations. Further, each institution creates Post Orders to provide details on specific duties for security staff (i.e. correctional officers assigned to segregation). Inmates are provided handbooks that detail daily routines and how to access services in each institution.

In addition to the above, the Women Offender Sector has developed the Management Protocol. This multi-step procedure includes the segregation of women who have been involved in an incident that causes serious harm to others or seriously jeopardize the safety of others. The Protocol is used to ensure consistency of intervention; appropriate consequences to these behaviours; and to ensure that the risks and needs of the inmate are addressed to ensure the earliest possible reintegration. As part of the Protocol there must also be adherence to the requirements of sections 31 to 37 of the CCRA and sections 19 to 23 of the CCRR.

Finding: CSC policies and procedures on segregation are in compliance with the CCRA and CCRR but require updating and clarification in certain areas.

We did not identify any inconsistencies between Commissioner's Directive (CD) 590, *Administrative Segregation*, and the Institutional Standing Orders at the sites visited with the legislated requirements of the CCRA or the CCRR. The areas covered by CSC policies relating to matters such as placement, reviews and assessments, as well as visits, access to legal counsel, notification, sharing of information and conditions of confinement were consistent with legislative requirements.

The Management Protocol, as it relates to administrative segregation, was reviewed and is in compliance with the CCRA and CCRR.

While CD 590 is consistent with the CCRA and CCRR requirements, it has not been updated to reflect national directions issued since 1997. Commitments to do so were made after the 2002-03 National Segregation Audit¹⁷. The current policy, dated 1997, needs to be updated in some important areas:

- The time period for Wardens to share their decisions following a SRB hearing (within 48 hours vs. within 2 working days);
- Responsibility for weekly visits to the segregation unit when daily visits have been delegated (Warden vs. Deputy Warden);
- Roles and responsibilities of Regional Segregation Oversight Managers (RSOM); and
- Offering showers every day to inmates while in segregation vs. less frequently where not operationally feasible.

We also identified other areas where updates are needed. At some of the sites visited, the Standing Orders did not reflect current CSC policy in such areas as the smoking policy or the requirement for an individual threat risk assessment when handcuffing an inmate during movement to and from segregation. Some Standing Orders were also either missing references to delegation for daily management visits or were too specific in this delegation (i.e. specified the Unit Manager/Team Leader¹⁸ for Segregation to conduct daily management visits which limits coverage by other staff in the event of absences). Institutional inmate handbooks for orientation and the National Administrative Segregation handbook for staff also require updating to reflect the above-noted policy changes.

We identified two additional areas where clarification to the CD may be required. CD 590 paragraph 7(d) and 24 require, within 60 days of placement, a plan detailing the schedule of activities for the inmate covering the areas of case management services, access to spiritual support, the opportunity to exercise, psychological counseling, and administrative, educational and health-care services. In men's institutions only, the audit found that, in most cases, an individualized detailed plan of activities had not been prepared for each segregated inmate. Instead, some institutional inmate segregation handbooks (orientation packages for inmates) outlined a general plan and included information on how the services could be accessed while in segregation. Interviews indicated that some staff and managers are unclear about the need for further documentation of these details in a formal plan for each inmate.

The second area identified pertains to paragraph 8 of CD 590. This paragraph requires that the inmate's state of health and health-care needs must be taken into consideration in all decisions related to administrative segregation, including placement. During file reviews we found only limited evidence that this takes place during placements or in subsequent reviews by the institutional head. Interviews with staff indicate that there is no consistent interpretation of this direction. Some sites will consult health care at the time of placement, while others believe that this requirement is satisfied when health-care professionals make their daily rounds. In addition,

¹⁷ [National Administrative Segregation Audit Report, December 2002](#)

¹⁸ The Team Leader position is specific to the women's institutions, which is the same position as the Unit Manager position in the men's institutions.

staff were not clear concerning documentation requirements. In our view, all operational sites should receive clarification concerning the specific expectations and documentation relating to this requirement.

Further, we examined the rate of staff turnover in the various segregation units visited and found that over the last two-year period the majority of institutions had from one to six changes in Unit Managers/Team Leaders supervising the units during that period of time. Most of the Administrative Assistant positions or duties for the segregation unit changed at least twice in most institutions during that same period. Given the very specific operational requirements established as part of the segregation process and the large turnover of staff, it is vital that policies be clear and up-to-date to avoid mistakes leading to legal violations.

4.1.2 Roles and Responsibilities

We expected to find clearly defined roles and responsibilities in relation to administrative segregation at the national, regional and site levels.

Finding: Roles and responsibilities have been defined and assigned at all levels; however the composition of the SRB is inconsistent and no work description has been developed for the RSOM position.

The CCRA, CCRR, CD 590 and the National Administrative Segregation Handbook outline the roles and responsibilities for the segregation process and the institutions visited have assigned each aspect of the segregation process to a staff member depending on resources and operational requirements. For example, the sharing of information may be done by the Correctional Supervisor, the Correctional Officers, or the Administrative Assistant depending on the resources available to the institution.

Though we found that the roles and responsibilities of the SRB were defined and assigned, file reviews and interviews showed that the composition of the SRBs varied across institutions visited. In some cases the Board was run solely by the Unit Manager in men's institutions. Also, the amount of input from the Case Management Team and the Security Intelligence Officer to the Board was limited at some sites. Earlier this year, CSC committed to developing a more formal and disciplined segregation review hearing process including the mandatory certification for all chairpersons of SRBs¹⁹. For example a pilot project is currently being conducted by the Women Offender Sector at Edmonton Institution for Women. A Segregation Advisory Committee (comprised of both internal and external members) has been established to review the cases of all women inmates who have been segregated for over 30 consecutive days or whose cumulative stay in segregation exceeds 60 days in a one year period. The Committee reviews cases which meet these criteria and advises whether all alternatives to a placement in segregation were explored; whether there is a valid plan in place for the offender's safe return to general population and the required steps are being taken to meet the plan; and whether there are other reasonable alternatives to alleviate segregation than those identified by CSC.

¹⁹ Letter to the Office of the Correctional Investigator from the Commissioner of CSC, May 8, 2006.

The roles and responsibilities of the RSOM have also been defined and assigned. The Administrative Segregation Handbook for staff and various directions in the form of memos, bulletins and a list of Frequently Asked Questions issued by NHQ, provide a general outline of these roles and responsibilities. Despite these sources for direction, no detailed work description has been developed. Each of the RSOMs interviewed indicated that a work description would provide a better understanding of the expectations associated with this position. In addition, it is felt that it would be beneficial to ensure classification of the position is consistent across regions.

The responsibilities for segregation at the national level have been assigned. Directions issued by senior management and commitments made in action plans in response to previous audits have defined these roles and responsibilities. The project officer and manager responsible for segregation also have general job descriptions to guide them in the management of this portfolio.

4.1.3 Training

The audit expected sufficient and consistent orientation and training to ensure all parties involved in the segregation process are fully aware of their responsibilities.

Finding: While peer training exists at the institutional and regional level there are no national standards to ensure that this training is accurate, complete, and consistent.

Our site visits indicated that the majority of managers and staff receive local peer training. Three institutions and two RSOMs have developed localized training. In all but one institution, however, this training has not been delivered in the past fiscal year and many of the managers and staff who had previously received this training have left their positions in segregation. During our discussions with staff, they indicated that they are aware of their roles and responsibilities however this was not supported in some of our findings. For example, we found varying levels of compliance with respect to completion of the necessary documentation. We found that there is no nationally standardized training available for staff working in segregation to reinforce the consistent application of segregation processes across the country. In summary, the current approach of informal peer training is not sufficient to provide reasonable assurance that accurate or complete information is given to new staff members by qualified officers in a consistent manner.

CSC has already recognized that improvement in this area is needed and has committed to developing a continuous education initiative for staff members and managers with direct responsibilities for administrative segregation during the 2006-07 fiscal year²⁰. This initiative will provide an additional resource for segregation staff to understand their roles and responsibilities, and will limit the risk that incomplete or inaccurate information is shared.

A number of interviewees referred to the CD and Institutional Standing Orders as resources when they started in their positions with respect to segregation. As stated under section 4.1.1, a large number of directions have been issued by memo or bulletin since the last update of the CD

²⁰ Letter to the Office of the Correctional Investigator from the Commissioner of CSC, May 8, 2006.

in 1997. During the audit we found that not all affected employees were fully aware of these directions or other resources available to them to help manage a segregation unit. At this time, there is no central source where all of the directions, staff handbooks and case management bulletins are available for quick reference. The centralization of segregation information on the CSC InfoNet site would help ensure that all staff are up to date on any direction or clarifications to policies that are issued between updates to the CD. This would enhance the current approach to informal peer training and provide the needed content for a nationally standardized training package.

In addition, we found that there was a lack of training of back-up personnel for segregation staff at some institutions. At the sites visited, it is the Unit Manager/Team Leader, the Segregation Clerk, or the Correctional Supervisor who normally handle requirements pertaining to the notification of inmates, sharing of information, and completion of assessments. In the majority of sites visited we noted that if a staff member occupying one of these positions was away, there was no one in the institution trained to replace them. While replacement staff do their best to fulfil the segregation unit duties, without a sufficiently trained back-up team, notifications, sharings, and assessments may be delayed or missed, resulting in a failure to comply with legislation and policy.

Good Practice – Train a back-up team

Some institutions visited have trained back-up personnel for each position involved in the segregation process, thereby ensuring that alternate staff are fully aware of legislated requirements and timeframes during the absences of regular staff members.

4.1.4 Monitoring

As a result of the 2002-03 National Segregation Audit²¹, a recommendation was made to establish a national framework to monitor compliance with legal and policy requirements, and to address deficiencies on a systematic basis. In response to this recommendation, senior management committed to completing regional segregation audits and for NHQ to monitor the results of these audits. NHQ further committed to use these results to identify systematic weaknesses and provide national direction on deficiencies. We expected to find that these monitoring mechanisms have been implemented and are being used effectively at both regional and national levels.

Finding: Monitoring is occurring at the regional level, but with limited evidence of follow-up to ensure that identified deficiencies are corrected.

Over the last year, the RSOMs in each region have completed the required compliance audits. We compared the results of these audits with those of the 2002-03 National Segregation Audit and found similar non-compliance issues being identified. Although action plans have been developed by the sites in response to the regional audits, we noted a lack of effective follow-up processes at the regional level to ensure the implementation of these action plans. Our current audit found similar non-compliance issues such as missing signatures and dates, documentation missing from files, and lack of documented detail regarding alternatives to segregation.

²¹ [Audit of National Administrative Segregation - December 2002 - CSC](#)

As part of CSC's Management Control Framework (MCF), a checklist was developed for institutions to self-monitor compliance in various areas of operations, including segregation. Since 2003 institutions have reported on segregation twice, identifying similar compliance issues as were found in the past audits. At this time, though there is no requirement to do so, two RSOMs have monitored these MCF results to review and follow-up on compliance issues.

Finding: There is limited monitoring of national trends done by the Correctional Operations and Programs (COP) Sector.

A review of documentation used to track trends at NHQ indicates that monitoring of segregation at the national level is limited. For example NHQ began monitoring the number of voluntary and involuntary placements, length of stay in segregation, the number of aboriginal inmates in segregation, as well as justified and unjustified segregation cases²² as of March 2006. This information is used to analyze trends in segregation, and any areas of concern are brought to the attention of the RSOMs. The issue may be raised with the Assistant Commissioner Correctional Operations and Programs for decision in cases where these concerns can not be addressed at this level. It is noted, however, that this monitoring is sporadic. In addition, the regional audit results are collected from the regions on an ad-hoc basis and there is no mechanism in place to routinely review the overall results or identify and address any compliance issues, where needed, at a national level. Overall, COP is not meeting commitments made in response to the 2002-03 National Segregation Audit to monitor the status and results of regional compliance audits.

Finding: The Women Offender Sector conducts additional monitoring of segregated cases.

The Women Offender Sector (WOS) at NHQ has recently implemented a review of key indicators affecting women's corrections, including segregation cases. This report provides the Sector with a snap-shot of the current situation and is used by WOS as well as institutional heads in women's institutions to monitor and assess key indicators and identify any areas of concern. In addition, WOS monitors all long-term segregation cases (which are mainly Management Protocol cases) through OMS to ensure the reintegration plans are being implemented and to assist with any difficulties in the cases. An interview with the A/Manager of Intensive Intervention Strategy, who holds the segregation portfolio within the WOS, also indicates that there is frequent communication with the Team Leaders at the women's sites regarding difficult cases.

We recognize it may be easier to establish effective monitoring of cases for women given the limited number of placements, however in our view it is important to continue to enhance the monitoring of men's cases by the COP sector.

²² At the 60-day regional review, the RSOM reviews the segregation case to determine if it still meets one of the conditions for segregation, as outlined in the CCRA. If any of these conditions are not met, the case is classified as "unjustified".

CONCLUSION:

In summary, our audit evidence indicates that an overall control framework for the management of administrative segregation is in place for both men's and women's institutions. CSC policies and procedures are in compliance with the CCRA and CCRR, and roles and responsibilities have been defined and assigned for the majority of positions related to segregation. Also, regions are completing the required regional segregation audits. The Women Offender Sector also conducts monitoring of cases where women are segregated. However, we did identify weaknesses in some key aspects of the framework:

- CD 590, some institutional Standing Orders, and procedural handbooks are out of date;
- clarification to CD 590 is required regarding the development and documentation of a plan of activities for each inmate and the need to consider health care needs in all segregation decisions;
- RSOM positions lack a detailed work description;
- no nationalized training standard exists and the current approach of informal peer training is not sufficient to provide reasonable assurance that accurate, complete, or consistent information is given to new staff members;
- there is no centralized source where all directions, staff handbooks, and security bulletins are available to staff;
- at the national level, there is limited monitoring of segregation trends by the Correctional Operations and Programs; and
- at the regional level, there is a lack of follow-up to corrective action taken to address deficiencies identified during regional audits.

The following recommendations are made to address these issues.

Recommendation #1

The Assistant Commissioner Correctional Operations and Programs should:

- update the current version of CD 590 *Administrative Segregation* as required;
- provide clarification regarding the requirements for a plan of activities for each inmate and the need to take into account inmate's state of health and health care needs in decisions related to administrative segregation; and
- centralize information for all segregation related directions, clarifications, and resources to allow for easy access by staff.

Recommendation # 2

The Assistant Commissioner Correctional Operations and Programs, in collaboration with the Assistant Commissioner Human Resource Management and the Deputy Commissioner for Women, should develop standardized national training for staff working in segregation to reinforce the consistent application of the segregation process across the country.

Recommendation # 3

The Assistant Commissioner Correctional Operations and Programs, in collaboration with the Assistant Commissioner Human Resource Management, should ensure the development, approval and implementation of a work description for the RSOM position.

Recommendation # 4

- i) The Assistant Commissioner Correctional Operations and Programs, in collaboration with the Regional Deputy Commissioners, should ensure that follow-up is completed on the action plans identified to address deficiencies raised during regional audits.
- ii) The Assistant Commissioner Correctional Operations and Programs, in collaboration with the Deputy Commissioner for Women, should ensure that monitoring is done to identify any national trends in the results of these regional audits.

4.2 INITIAL PLACEMENT IN SEGREGATION

With a proper control framework in place, it is essential to ensure that decisions for initial placement into segregation are fully supported. We examined inmate files to assess if documentation supports that initial placements were properly authorized, based on fair and reasonable grounds, and that there were no reasonable alternative to administrative segregation.

During working hours the Warden of the institution authorizes placement in segregation. During evenings and weekends the Officer in Charge of the institution has delegated authority to place inmates in segregation, with the Warden giving final approval on the first working day following the placement.

4.2.1 Initial Placement and First Working Day Review

We expected to find documentation which supports that placements in segregation have been properly authorized as required by policy. We also expected to find documentation which supports that, as per the CCRA, placements have been made based on fair and reasonable grounds to believe a threat exists and that there are no reasonable alternatives to segregation at the time of placement.

Finding: Placements were properly authorized and supported.

At the sites visited we reviewed 229 of the total 6088 segregation placements (including both men and women inmates) during the period from April 1, 2005 to June 30, 2006 and determined that the large majority had been properly authorized.

To verify that these placements were based on fair and reasonable grounds, we examined whether they could be clearly linked to the conditions for placement found in the CCRA. About 97% of the placements in the men's cases reviewed were clearly linked to the CCRA. In only six of the 201 cases reviewed did the rationale not clearly link to a specific condition. All of the 28 women's cases reviewed were found to be clearly linked. We also assessed whether placement rationales clearly outlined the incident or series of events leading to the segregation. The large majority of rationales (almost 90%) in the men's cases and 100% of the women's cases provided clear explanations of the circumstances which resulted in segregation placements.

4.2.2 Alternatives to Segregation

CSC must maintain inmates in the least restrictive environment possible. As segregation is the most restrictive form of custody, staff are required to explore all reasonable alternatives before segregating inmates. We expected to find details in the placement documents of the alternatives to segregation that have been explored as well as the reasons for rejecting them.

Finding: For almost half of the cases reviewed, evidence that alternatives to segregation had been explored was not fully recorded on the placement documentation.

Although OMS is being used as the principal file of record for segregation information, in our review of 201 men's cases, we found that approximately 29% of the placement reports contained neither sufficient detail of the alternatives explored or the reasons for rejecting these alternatives. An additional 15% did provide details of the alternatives, however did not provide the reasons for rejecting the alternatives to segregation. In the 28 women's files reviewed, approximately 57% of the placement reports contained neither sufficient detail of the alternatives explored or the reason for rejecting these alternatives. Of these files, an additional 7% did provide details of alternatives, but did not present the reason for rejecting these alternatives.

Interviews with staff at all institutions indicate that detailed reviews of alternatives may be recorded in other reports or documents in OMS, such as casework records, memos to file, or Offender Management Review Board minutes. Additionally, alternatives may be discussed orally or during staff meetings, which are not recorded in OMS. A review of these other sources of information did confirm that alternatives are being explored, though not recorded in the placement document.

In keeping with the CCRA and CSC's duty to act fairly, it is essential that CSC demonstrate that there are no alternatives to placement in segregation, that the decision maker has all necessary information to confirm that segregation is the only option, and that all information is then shared with the inmate. Consolidation of the information pertaining to alternatives to administrative segregation and the reason for rejecting these alternatives in the placement document is required to ensure that the above occurs.

4.3 CONTINUED SEGREGATION AND REINTEGRATION

Once the decision has been made to maintain an inmate involuntarily in segregation, SRB hearings are held on the 5th working day, the 30th calendar day, and every 30 calendar days thereafter to review the case. Three working days prior to each hearing CSC staff members are responsible for notifying the inmate in writing that the hearing will take place and that the inmate has the right to attend. At this time, all information to be considered during the hearing is shared with the inmate.

During the SRB hearing, staff review the situation which led to the involuntary segregation and discuss possible alternatives to segregation in an effort to reintegrate the inmate. These reintegration efforts must be documented in OMS. At each 30-day hearing, a psychological opinion regarding the inmate's capacity to remain in segregation, as well as the inmate's state of health and health-care needs, have to be considered. The SRB recommends a course of action to the Warden regarding whether to maintain or reintegrate the inmate. Both the written recommendation and the reason for it must be shared with the inmate. The Warden must share his or her final written decision with the inmate within 48 hours of the review.

The RSOM must review both voluntary and involuntary segregation cases on the 60th calendar day and every 60 calendar days thereafter to ensure the placement was based on the conditions for placement found in the CCRA and that the placement continues to be justified.

We reviewed statistics from OMS to verify that SRB reviews take place on time. We also reviewed files in OMS to verify content of reports. We then reviewed the hard-copy files (which contains printouts of the OMS reports) to determine that documentation was shared and completed properly, including signatures and dates. In addition, the audit reviewed documentation for continued segregation cases to verify that various levels of the organization made all reasonable efforts to reintegrate inmates into the general inmate population.

4.3.1 5th Working-Day and 30-Day Reviews

We expected to find that there are controls in place at the institutional level to ensure that the 5th working day and 30-day reviews, notifications, and sharings are completed as required.

Finding: Controls are working as intended and 5th and 30-day reviews are generally completed on time.

In the sites visited, there was documentation indicating that controls are in place including locally developed checklists and/or tracking systems to ensure that notifications, sharings, hearings, and assessments take place within the timeframes established by legislation and policy. To verify that these reviews and assessments are taking place on time, we analyzed national data from the OMS²³ and completed file reviews at each of the sites visited. The results of the OMS analysis include all reviews and assessments completed at all sites between April 1, 2005 and June 30, 2006. The file reviews at the sites visited covered the same review period.

²³ Source: Data extracted from OMS, provided by the Performance Management branch.

The national data from OMS indicates that CSC is in compliance approximately 99% of the time with timeframes for the 5th and 30th day reviews. Results from our file review were consistent with this finding. When timeframes are missed, most reviews for the 5th working day are completed within two extra working days. For the 30-day reviews, most were completed within five days of the due date.

Although it is not required by the current policy, we found that, with the exception of one, all sites visited are completing the 5th working day and 30th day reviews for all voluntary cases. National data obtained from OMS indicate that, where reports are being completed for voluntary cases, about 98% of all 5 and 30 day reviews were completed on time.

Finding: Deficiencies in documentation of information make it difficult to verify compliance with the requirement to notify and share information with inmates.

OMS generates documents for the notification of inmates and sharing of information and decisions with them. These documents include some templates to ensure that required information is recorded. At the majority of sites, we found no evidence of controls in place to track that these documents are completed properly and then placed on the hard-copy inmate. This lack of controls resulted in a large number of files not having sufficient evidence to support that notification of hearings and sharing of information took place as per requirements. Approximately half of the files reviewed had one or more of the following deficiencies:

- missing manager's, staff and inmate signatures;
- missing dates of action taken;
- some hard-copy documentation did not match OMS; and
- some hard-copy documentation was not on file.

Though interviews with Inmate Committees show no issues with the notification or sharing process, CSC cannot provide written assurance that sharing and notifications take place as required and in a timely manner. Quality control over these administrative procedures would provide this assurance.

4.3.2 30-Day Psychological Assessments

In order to ensure that Wardens are making informed decisions concerning continued segregation, it is important that all relevant information is provided. As segregation has potentially negative consequences for the mental health of segregated inmates²⁴, CD 590 requires a psychologist or psychiatrist to provide a written opinion, as part of a psychological assessment, regarding the inmate's capacity to remain in segregation, at least once every 30 days. We expected to find that these assessments were completed on time and contained a written opinion.

²⁴ [The Task Force Report on Administrative Segregation - Commitment to Legal Compliance, Fair Decisions and Effective Results - March 1997](#)

Finding: The 30-day psychological assessments are completed on time however not all included a psychological opinion, as required by CD 590.

Data obtained from OMS²⁵ indicates that approximately 95% of the 30-day psychological assessments completed in institutions across the country between April 1 2005 and June 30 2006 were completed on time.

In the men's files reviewed, 20% (24 of 119 files) did not contain a psychological opinion. The following issues were identified:

- in the majority of the cases the inmate refused to see the psychologist and no opinion was rendered;
- in a number of cases, the psychological assessment indicates that the offender was seen, but no opinion was rendered in the assessment. In these cases, the OMS template for psychological assessments had been altered at the site to remove the opinion section; and
- in a small number of cases, one or more of the psychological assessment documents was not completed and no opinion was rendered.

As noted above, for the majority of the files where issues were noted, the psychologist stated that the inmate refused to be seen for assessment purposes, and therefore no opinion was rendered. File reviews and interviews further noted an inconsistent approach by the psychologists in cases of inmate refusals. In some of the cases the psychologist would observe the inmate in his cell; consult with the unit staff members who have day-to-day contact with the inmate; review behavioural logs and, based on this information, would provide an opinion of the inmate's capacity to remain in segregation. In other cases where the inmate refused an interview with the psychologist, there was no evidence that collateral contacts were made, and therefore the required opinion was not rendered.

In the women's files reviewed, 23% (3 of 13) did not contain a psychological opinion. In two of the 13, one or more of the psychological assessment documents was not on OMS, and no opinion was rendered. In one of the thirteen cases the inmate was seen by the psychologist, but no opinion was rendered in the assessment. In the files reviewed, no women refused to be seen by the psychologist.

The lack of a psychological opinion may result in the Warden maintaining an inmate in segregation, although he or she is not mentally fit to remain. A clear and consistent approach to these assessments, especially in cases where the inmate refuses to be seen by the psychologist, would mitigate this risk.

4.3.3 60-Day Regional Reviews

We expected to find that there are controls in place that are working as intended to ensure that the RSOMs complete the 60-day reviews as required.

²⁵ Source: Data extracted from OMS, provided by the Performance Management branch.

Finding: Controls are in place and the regional reviews occur every 60 days as required.

Each RSOM has developed a tracking system or utilizes the Reports of Automated Data Applied to Reintegration (RADAR) information system to ensure the 60 day regional reviews occur as required. Our review of the data from OMS for all sites in the country indicates that these reviews occur on time approximately 99% of the time. Our file reviews showed results consistent with this finding.

4.3.4 Reintegration Efforts

Staff involved in the segregation process must constantly explore options to reintegrate inmates into less restrictive environments. Options may include:

- mediation between the segregated inmate and the Inmate Committee to have the inmate return to his or her original range or house;
- temporary, individual lock-up of the inmate to his or her cell;
- moving the inmate to a new unit or house; or
- regional or interregional transfers to a new institution. In the women's institutions, this may require a security reclassification and transfer to the Secure Unit (maximum-security) of the same institution instead of transfer to a new institution.

Finding suitable alternatives is an essential but challenging task. These efforts to reintegrate inmates must be documented at the institutional level in the 5th working-day and 30th day reviews, and at the regional level in the 60-day reviews. These reviews are important mechanisms to assess and decide on continued segregation and to ensure that reintegration plans are developed and implemented.

We expected to find file evidence to support that all reasonable efforts have been made at various levels of the organization to reintegrate the inmates who have been placed in segregation. This includes the preparation and implementation of a timely reintegration plan.

Finding: Detailed documentation of reintegration efforts at early stages of the reintegration process is lacking, more particularly in the men's files reviewed.

In the men's files reviewed where the inmate was in segregation for five days or more, we found that the 5th working-day and/or 30-day reviews lacked detail of the reintegration efforts and the reasons why segregation remained the only alternative in 22% of the files (40 of 178). As noted under section 4.2.2 there is often more detail of the attempts to find alternatives in other OMS documents or in minutes of institutional meetings, but not in SRB reports as required. Interviews with staff also indicate that efforts are indeed being made to reintegrate offenders at the earliest possible time.

In all but one of the women's cases reviewed we found that reintegration plans had been developed by the 5th and 30th day reviews and were documented as required. It is noted that of

the 28 placements reviewed, six were Management Protocol placements²⁶. As indicated in the introduction, the Management Protocol provides for the progressive reintegration of the women inmates to general population and as such, there is clear and documented evidence of reintegration efforts.

Documentation of the exploration of alternatives and reasons they may not be suitable is important for demonstrating that CSC has made every effort to reintegrate the inmate into the general inmate population. It is also important, as part of CSC's duty to act fairly, to document these efforts so that all relevant information can be shared with the inmate. Further improvements are required, especially at the men's institutions, to ensure all information pertaining to reintegration efforts is captured in SRB reports as required.

Good Practice – Reintegration Plans

Interviews with staff and management in the Pacific region indicate that Parole Officers are expected to develop a detailed reintegration plan by the 5th working day review that ensures reasonable efforts are made to reintegrate inmates in a timely manner. Our file reviews confirmed that these reintegration plans were completed for the 5th working day review. The RSOM also reviews each case at placement for compliance with policy and to make suggestions for alternatives where needed. While there are various factors influencing the reintegration of inmates, these practices could contribute to the fact that, for the past 5 years, this region has had the lowest average length of stay in segregation across CSC. For example in 2005-06 the average length of stay in the Pacific region was 27 days compared to the national average of 40.

Finding: Efforts are made at the institutional, regional and national levels to reintegrate inmates.

As stated previously, our audit indicates that institutional staff explore options to alleviate segregation for individual inmates.

At the regional level, the RSOM reviews segregation cases over 60 days and makes suggestions to institutions regarding their reintegration plans, and assists with implementing these plans where possible. We also noted that the reports for the 60-day reviews provide detailed analyses of each case, outlining the history of the placement, the alternatives explored and the reasons why these alternatives were not feasible. We found these reports to be more complete than the reports for the 5th and 30-day reviews previously done by the institution.

In addition to the RSOM review, a Regional Review Board has been established to provide further oversight through analysis of all segregation cases when they reach 120 days and every 60 days thereafter. These Boards also review cases that the RSOMs bring to their attention prior to the 120 day mark. The Assistant Deputy Commissioner of Institutional Operations in each region chairs this Board which also includes the RSOM, the Regional Transfer Officer, and the Regional Administrator Reintegration and Programs. The Board reviews each case to verify that the segregation was made in accordance with the CCRA, reviews the reintegration plan to ensure

²⁶ As noted in the introduction, an inmate can be placed in segregation more than once. We reviewed four women inmates who accounted for the six Management Protocol placements reviewed.

implementation and makes recommendations to assist reintegration. While reviewing the plan, the Board will attempt to resolve any issues that are preventing the reintegration of the inmate to a less restrictive environment. Both the 60-day and the 120-day reviews provide evidence that regions are making efforts to address long-term segregation cases.

At the national level, the NHQ project manager responsible for segregation has also been holding meetings with the RSOMs since 2001 to discuss issues surrounding the reintegration of inmates and to facilitate transfers on a case-by-case basis.

For cases where the transfer of a segregated inmate can not be resolved at the operational level, NHQ has established a National Population Management Committee. This Committee is chaired by the Director of Institutional Reintegration Operations and is attended by the National Institutional Reintegration staff, the National Transfer Coordinator, all Regional Transfer Officers, and all RSOMs. Through monthly conference calls this Committee discusses case specific concerns and issues affecting interregional transfers and segregation. Over the last year, this Committee has facilitated the transfer of approximately 10 segregated inmates.

Nonetheless, there is often difficulty moving those cases that have been in segregation for more than 120 days. Many of the inmates in this situation are awaiting a transfer that has been denied by the proposed receiving institution. If these cases are not resolved at the operational level, or by the National Management Population Committee, they are elevated to the National Strategic Population Management Committee. The Assistant Commissioner Correctional Operations and Programs chairs this Committee, and it is attended by the Director General (DG) of Offender Programs and Reintegration, the DG of Security, the Director of Institutional Reintegration Operations, and the Regional Assistant Deputy Commissioners of Institutional Operations. This Committee allows for the ACCOP to review cases which continue to be problematic. Once the decision to transfer has been made, the receiving institution can not refuse and the inmate is transferred.

In addition, NHQ Women Offender Sector (WOS) indicates that they have frequent contact with staff in the women's institutions to consult on individual cases. Formally, NHQ WOS, the Secure Unit Team Leaders and Assistant Team Leaders from the institutions have bi-monthly conference calls to discuss Management Protocol cases and individual segregation cases where required.

Finding: CSC implements the majority of reintegration plans in a timely manner despite inherent obstacles.

The audit team examined 100 long-term segregation cases²⁷ (95 men's and 5 women's files) to assess the process of exploring alternatives to segregation, the obstacles faced when exploring these alternatives, how these are documented, and the efforts being made to alleviate these obstacles.

²⁷ For the purpose of the audit, long-term cases were defined as inmates being held in segregation for more than 90 days.

As seen in Table 5 and 6 below, for the past five years the majority of inmates have been released from segregation within 90 days for both involuntary and voluntary cases. However, cases do exist where inmates remain in segregation for extended periods of time.

Number of Releases from Administrative Segregation
Analysis of Length of Stays by Fiscal Year
Table 5
Involuntary Placements

Length of Stay	2002-03	2003-04	2004-05	2005-06	2006-07(1)
1 to 90 days					
Men	5057 (92%)	4532 (91%)	4469 (90%)	4874 (91%)	3102 (91%)
Women	238 (95%)	249 (98%)	239 (98%)	288 (99%)	165 (96%)
Over 90 days					
Men	442 (8%)	463 (9%)	499 (10%)	496 (9%)	296 (9%)
Women	12 (5%)	5 (2%)	4 (2%)	3 (1%)	6 (4%)
Total Releases					
Men	5499	4995	4968	5370	3398
Women	250	254	243	291	171

Source: Figures reported obtained from Performance Management, extracted from OMS

(1) Figures for releases up to November 19 2006

Table 6
Voluntary Placements

Length of Stay	2002-03	2003-04	2004-05	2005-06	2006-07(1)
1 to 90 days					
Men	1512 (81%)	1394 (80%)	1456 (80%)	1605 (82%)	926 (82%)
Women	17 (100%)	40 (100%)	26 (100%)	34 (100%)	18 (100%)
Over 90 days					
Men	356 (19%)	350 (20%)	361 (20%)	344 (18%)	199 (18%)
Women	0	0	0	0	0
Total Releases					
Men	1868	1744	1817	1949	1125
Women	17	40	26	34	18

Source: Figures reported obtained from Performance Management, extracted from OMS

(1) Figures for releases up to November 19 2006

We discussed with Unit Managers, in the men's institutions, the status of cases where the inmates had been, at the time of our visit, in segregation for more than 180 days. They indicated that several alternatives to segregation had been attempted in these cases without success. During discussions on these cases, managers indicated that there are several significant obstacles to implementing these alternatives. These obstacles include:

- the lack of bed space at medium and maximum security institutions which limits the possibility of transfer to alleviate segregation;
- incompatibility issues with other inmates (such as rival gangs) prevent reintegration (this was noted by the Prairie region as a significant issue);
- incompatibilities developed by long-term inmates who transfer from one institution to another can leave few options for management to resolve these particular cases;

- interregional transfers take a long time to coordinate, with segregated inmates frequently taken off the transportation list at the last minute due to other priority cases (such as inmates being transferred to the Special Handling Unit);
- many inmates with mental health issues are difficult to integrate into any population because of the nature of their illness;
- inmates may refuse transfers to other institutions or regions;
- transferring a segregated inmate can distance an inmate from strong family contacts; and
- many long-term voluntarily segregated inmates refuse to leave the segregation unit. Attempts to move them result in these inmates threatening to act in a way that would create a situation where involuntary segregation becomes necessary.

Finding: Additional guidance regarding the management of voluntary inmates who refuse to leave segregation is required, more specifically for men’s institutions.

In discussing long-term voluntarily segregated inmates who refuse to leave, managers in men’s institutions noted that some inmates will claim that their lives are in danger in order to be voluntarily segregated. As required following a voluntary segregation, an investigation is conducted to determine whether the inmate’s claims are founded. In cases where the investigation concludes that the inmate is not in any real danger, a decision is taken to release the inmate from segregation. Because some inmates feel a sense of safety in the segregation unit, they may refuse to leave, and may threaten to act in a way that will result in an involuntary segregation. This pattern has resulted in a number of long-term voluntary segregation cases across the country. When an inmate refuses to leave segregation, the 60-day review completed by the RSOM finds the continued segregation to be unjustified. Table 5 below indicates that from March to July 2006, almost 50% of long-term voluntary segregation cases were considered unjustified.

**Table 5
Justified vs. Unjustified Segregation Cases**

	19-Mar-06	23-Apr-06	16-Jul-06
Voluntary cases over 60 days considered unjustified	48.23% (68 of 141)	42.65% (58 of 136)	41.38% (48 of 116)
Voluntary cases over 90 days considered unjustified	52.43% (54 of 103)	45.45% (50 of 110)	48.86% (43 of 88)

As CSC must maintain inmates in the least restrictive environment possible, there is a concern because the inmate is in the most restrictive environment even though CSC can no longer demonstrate that the case meets any of the legislative conditions for placement. Managers have indicated the need for guidance as to what can be done to remove these voluntary cases from segregation. It should be noted that for women’s institutions, due to the low number of voluntary placements and limited length of time spent in voluntary segregation, this was not raised as an issue.

Further, through files reviews and interviews with staff at the women’s institutions, we noted that the other obstacles to reintegration listed above do not affect women’s institutions to the same extent as men’s institutions. Our review of three women who remained in segregation over 180

days found that their stay in segregation was a result of their behaviour and ongoing need to slowly reintegrate into general population on the Management Protocol, rather than as a result of the obstacles listed above.

CONCLUSION:

Initial placements to segregation, and subsequent decisions to keep inmates in segregation, are made appropriately and are in accordance with law and policy. However, documentation in segregation reports needs to be strengthened in such areas as the consideration of alternatives to segregation and reasons why these were not viable.

CSC is in compliance with most of the administrative requirements relating to the segregation process. Instances of non-compliance were noted regarding the inclusion of an opinion in the 30-day psychological assessments. Weaknesses were noted in the documentation of the notification and information-sharing processes and in the appropriate recording of reintegration efforts. All levels of the organization are involved in the reintegration of inmates, which is usually effected in a timely manner despite significant obstacles, which were particularly noted in the men's institutions.

The following recommendations are made to address these issues.

Recommendation # 5

The Assistant Commissioner Correctional Operations and Programs, in collaboration with the Regional Deputy Commissioners, should emphasize the need for:

- segregation documentation to contain all necessary dates and signatures, and that it be filed properly;
- the implementation of controls to monitor documentation compliance; and
- the need to input all required segregation information in placement documentation and SRB documents.

Recommendation # 6

The Assistant Commissioner Correctional Operations and Programs should provide guidance regarding the provision of psychological opinions as part of the psychological assessment of segregated inmates and to ensure compliance with policy.

Recommendation # 7

The Assistant Commissioner Correctional Operations and Programs should provide additional guidance regarding viable options for the management of voluntary inmates who refuse to leave segregation.

4.4 CONDITIONS OF CONFINEMENT OF INMATES IN SEGREGATION

Through the review of documentation as well as interviews with staff and Inmate Committee members, the audit assessed whether inmates in segregation, given security restrictions, are afforded the same rights and privileges as inmates in the general inmate population. We also observed the segregation units at each of the sites visited to assess the conditions of the unit and the provision of exercise facilities.

4.4.1 Rights and Privileges

We expected to find that segregated inmates are afforded the same rights and privileges as inmates in the general inmate population in both the men's and women's institutions. As per legislation, these rights and privileges are limited where they can only be enjoyed in association with other inmates, or cannot be granted due to the limitations of the segregation unit or security requirements.

More specifically, the audit team expected to find that inmates:

- are informed of their right to legal counsel and provided the opportunity to make a phone call for this purpose;
- are visited daily and weekly by management and daily by health services; and
- have access to case management services, health care, programs, spiritual and psychological counseling, visits with family and friends, canteen, hobby craft, library, and recreation.

Finding: Inmate rights and privileges are being protected during the period of administrative segregation in both men's and women's institutions.

Our file reviews, supported by interviews with staff and inmate committee members, indicate that inmates are offered and provided access to legal counsel within 24 hours of being admitted to segregation. However, we did note a number of the same administrative issues noted in section 4.3.1, such as missing signatures, dates, or related to the filing of hard-copy documents.

During file reviews, we found some segregation unit visitor logs lacked evidence to support that daily and weekly management visits occur as required. We reviewed visitor logs for two months at each site. In nine of the men's institutions visited and one of the women's, we found one or more of the daily delegated management visits were not recorded. Some of the Unit Managers interviewed indicated that they may be on the unit and do not sign the visitor log. At five of the men's institutions, one or more of the Warden's weekly visits was not recorded. This was not an issue in the women's institutions visited where it was noted that the Wardens often visit the unit more than once a week. Though not always documented, Inmate Committees at all sites visited indicate that no concerns had been raised relating to segregated inmates having access to the Warden and Unit Manager/Team Leader of segregation.

Inmate Committee members also advised that Chaplain and Elder services are offered regularly to segregated inmates, with visits occurring at least weekly or by individual request. Smudging

is available to Aboriginal inmates and, where facilities can accommodate, sweat-lodge ceremonies are facilitated. This was confirmed through interviews with staff members.

Interviews with Inmate Committee members and staff indicate that, as with the general inmate population, inmates in segregation have access to case management services; psychological counseling; health care; visits with friends and family; canteen; and library. Privileges provided to segregated inmates may vary from site to site based on security requirements of segregation units or institutions. It was also noted that the women in segregation have greater access to one-on-one psychological counseling than men. The interviews conducted, supported by file evidence, confirm that the health care provided to all segregated inmates includes the daily visits, as required by policy.

One privilege which can differ from the general inmate population is access to hobby craft. Because of security concerns with the supplies utilized, access to hobby craft and associated material is limited in the segregation area. It was noted in the women's institutions that individual risk assessments may allow for women in segregation to have access to a wider variety of hobby craft materials.

Programming in the segregation unit of men's institutions is limited. Interviews with segregation staff and management indicate that programming is difficult to deliver in segregation as most programs are geared towards group environments. It is difficult to find a sufficient number of segregated compatible inmates who all need and want to take the same program. However, the majority of Inmate Committee members interviewed indicated that they had not received complaints regarding programming in the segregation units.

Programs offered to segregated men are mainly limited to cell studies and employment as cleaners on the range. A limited number of maximum-security men's sites are also piloting the Motivational Based Intervention Strategy (MBIS). This Strategy is designed to improve staff safety in maximum-security institutions and facilitate motivating inmates to change their problematic behaviours and follow their correctional plan. Some institutions visited have dedicated specific Program Officers for their segregation units in order to assist inmates with the implementation of MBIS. Though rare, we also noted instances where the Warden approved voluntarily segregated inmates continuing their programming with the general inmate population.

Women inmates are not typically segregated long enough to interrupt the programming they are taking in the general population. In cases where the segregation prohibits the inmate from participating, the facilitator will often meet with the inmate individually to continue the program. In cases of long-term segregated women, Dialectical Behavioural Therapy²⁸ (DBT), cell studies and teacher-assisted school are offered. We also noted cases where, following a threat risk assessment, segregated women are permitted to join in group programming on the Secure Unit²⁹.

²⁸ Dialectical Behaviour Therapy is supported by research and is a clinically sound approach for treating individuals struggling with severe difficulty to manage their emotions and behaviours in a pro-social way.

²⁹ Each of the women's institutions visited are multi-level security facilities. The Secure Unit is the maximum-security unit of the institution.

4.4.2 Conditions of Confinement

We examined the conditions of confinement in the segregation area to assess if inmates in segregation are managed in an environment that meets the legislative requirements. We expected that living conditions in the segregation units are safe, humane, hygienic, and provide for basic necessities.

Finding: Living conditions in segregation are safe, humane and hygienic.

Our tour of the segregation unit at all sites visited, our review of documentation, and interviews with staff indicate the following:

- controls are in place to ensure the safety of inmates in the unit, and in particular, while out in the yards;
- cells equipped with cameras for close monitoring purposes are available for observation of any inmates who present a threat for suicide;
- psychological services are available to inmates by request; and
- double bunking is not occurring; nor is it being considered by NHQ for segregated inmates.

We also found that humane treatment is a priority in segregation units. All institutions we reviewed have developed procedures to ensure inmates are offered showers daily in accordance with direction, barring operational requirements. However, some of the male institutions visited were only able to offer showers every other day because of the high number of inmates in segregation and limited shower facilities.

Units and exercise yards are clean and well maintained and hygienic conditions are provided in all of the segregation units visited. Basic needs such as toiletries and clean bedding are provided upon admission to the unit, and with few exceptions, inmates' personal effects (televisions, personal clothing, etc) are provided to them according to local policies by the 5th working day.

The Commissioner's Directive 590 indicates that inmates are to be provided *the opportunity to exercise for at least one hour every day outdoors, weather permitting, or indoors where the weather does not permit exercise*. As previously indicated, the CD also specifies that the conditions of confinement shall be the same as for the general inmate population except for those that *cannot reasonably be given owing to limitations specific to the administrative segregation area, or security requirements*. During the site visits, most institutions indicated that because of the physical layout of their institution, combined with operational security requirements, they could not provide segregated inmates with the opportunity for indoor recreation. Some of the sites visited have areas of the yards that are partially covered to provide protection from the elements. It was also noted in some of the women's institutions that segregated women may have access to exercise equipment (i.e. treadmills) in the secure unit.

Inmates at all sites visited are consistently offered daily exercise in the outside recreation yard(s) as required by policy. Inmate Committee members and staff at some sites indicated that wherever possible, more than one hour is offered to each inmate. Moreover, staff find ways to ensure inmates are offered exercise at various times in the day to ensure equality (i.e. not always

offering exercise first thing in the morning). Exercise may occur at some sites in groups of up to six, based on a review of compatibilities. We noted that most yards, because of security concerns and past incidents, contain no exercise or recreation equipment other than chin-up bars. The lack of equipment was raised as a concern by the Inmate Committees at most sites visited.

CONCLUSION:

The conditions of confinement in segregation meet the legislative requirements in both the men's and women's institutions visited. In particular, subject only to limitations resulting from security requirements, the inmates' rights and privileges are protected and they are provided with safe, humane and hygienic living conditions. Improving the documentation of management visits to inmates will help ensure that CSC has supporting evidence that these visits take place as required.

5.0 OVERALL CONCLUSION

The results of the audit indicate that, in general, CSC manages the administrative segregation of both men and women inmates to a high professional standard, including:

- an overall control framework to manage administrative segregation is in place;
- initial placements to segregation and subsequent decisions to maintain inmates in segregation are properly authorized and supported, and CSC staff work diligently to limit the length of inmate stays in segregation despite significant impediments to reintegration;
- there is a high level of compliance with CSC's requirements relating to the timeframes for the 5th working day, 30-day, and 60-day reviews; and
- the rights and privileges of inmates in segregation are protected, and they are provided with safe, humane, and hygienic living conditions.

Further, the results of our audit as they pertain to women's institutions are consistent with the findings of the recent review conducted by the Expert Committee on women's corrections³⁰, who found that "progress has been made, in our view, over the ten-year period, considering the regard for human rights and respect for the Rule of Law that has been instilled in the segregation review and management process. Furthermore, we are convinced that segregation is used as a last resort at the women's facilities."

At the same time, however, the audit identified several areas where improvements can and should be made, in both men's and women's institutions, to ensure that:

- policies and procedures are up to date;
- staff involved in segregation have a clear and consistent understanding of policies, procedures and responsibilities;
- monitoring of the segregation process is enhanced at the national level;
- follow-up be performed by regions on results of their audits;
- alternatives and reintegration options are appropriately documented in OMS;

³⁰ [Moving Forward with Women's Corrections, The Expert Committee Review of the Correctional Service of Canada's Ten-Year Status Report on Women's Corrections 1996-2006 \(February 2007\)](#)

- there is a clear understanding of content requirements for 30-day psychological assessments in cases where inmates refuse to be seen by the psychologist; and
- documentation is available and clearly demonstrates that actions such as the sharing of information and the notification processes have been carried out as per requirements.

It is important that CSC maintain a well functioning administrative segregation program. The use of administrative segregation contributes to the safety and well-being of both inmates and staff, and plays a role in the maintenance of a manageable security environment within the institution. By enhancing the management of administrative segregation, CSC will continue to demonstrate that compliance with the law and the well-being of its inmates are a high priority.

Administrative Segregation Process

#	Steps	Reference
Placement (The purpose of administrative segregation is to keep an inmate from associating with the general population. CCRA31(1))		
1	<p>The institutional head may order that an inmate be confined in administrative segregation if the institutional head believes on reasonable grounds</p> <p>(a) that</p> <p style="padding-left: 40px;">(i) the inmate has acted, has attempted to act or intends to act in a manner that jeopardizes the security of the penitentiary or the safety of any person, and</p> <p style="padding-left: 40px;">(ii) the continued presence of the inmate in the general inmate population would jeopardize the security of the penitentiary or the safety of any person,</p> <p>(b) that the continued presence of the inmate in the general inmate population would interfere with an investigation that could lead to a criminal charge or a charge under subsection 41(2) of a serious disciplinary offence, or</p> <p>(c) that the continued presence of the inmate in the general inmate population would jeopardize the inmate's own safety,</p> <p>and the institutional head is satisfied that there is no reasonable alternative to administrative segregation.</p> <p>The inmate's state of health and health care needs shall be taken into consideration in all decisions relating to administrative segregation.</p>	CCRA 31 (1)(3), CD 590 (3) and (8)
2	<p>In the event the delegate authorized the segregation, the institutional head (IH) must confirm the segregation within one working day or order the release to general population</p>	CCRR 20 and 23, CD 590 (6)
3	<p>Once the inmate is placed in segregation, the IH is responsible to ensure that there is an investigation into the circumstances leading to the segregation and the development of a plan to resolve the situation that lead to the segregation.</p>	CD 590 (7 b) & (7c)
4	<p>When an inmate requests placement in administrative segregation for his or her own protection, the institutional head, or his or her delegate, shall consider the request and ensure that:</p> <p>(a) all possible information is collected pertaining to the request;</p> <p>(b) options other than placement in administrative segregation are explored and utilized if possible;</p> <p>(c) any identified aggressors associated with the request for protection are confronted and, if necessary, removed from the general inmate population;</p> <p>(d) reasonable safety measures are provided for the inmate while maintaining the greatest possible level of association under the circumstances;</p> <p>(e) early resolution of the situation is attempted; and</p> <p>(f) the inmate, if placed in administrative segregation, is returned to the general inmate population as soon as it is possible to safely do so.</p>	CD 590 (9)
5	<p>In the event the IH does not intend to grant the request, the IH or staff member designated must meet with the inmate as soon as practicable and explain the reasons for not granting the request. The inmate must be given the opportunity to oral or written representation.</p>	CCRA 35, CD 590 (10)
6	<p>Upon placement in segregation, the inmate shall be informed of the right to legal counsel and shall be given reasonable opportunity to retain and instruct legal counsel within no more than 24 hours.</p>	CD 590 (13)

7	An inmate involuntarily placed in administrative segregation shall receive a written explanation from the IH or designated staff member of the reasons for the segregation within one working day of placement.	CCRR 19, CD 590 (21a)
Review Process - (Where an inmate is in administrative segregation CSC shall endeavor to return the inmate to the general population, either of that penitentiary or of another penitentiary, at the earliest appropriate time. CCRA 31 (2))		
8	The IH shall establish an administrative segregation review board (SRB) to review the cases of all administratively segregated inmates. The SRB makes written recommendations to the IH respecting the continuation or discontinuation of the segregation which shall be to return the inmate to general population unless the board is satisfied that the inmate's continued custody is warranted. The IH reviews the recommendation made by the SRB in making the decision.	CCRA 33-37, CD 590 (14), (17 – 19)
9	Where an administrative segregation review board recommends the release of an inmate from segregation and the institutional head does not concur with the recommendation, the institutional head shall personally meet with the inmate as soon as practicable and explain the reasons for the decision. The inmate shall be given an opportunity to respond in person or in writing.	CCRA 34, CD 590 (20)
10	An inmate involuntarily placed in administrative segregation shall receive a hearing before the administrative segregation review board within 5 working days of the placement in segregation. The hearing shall be conducted with the inmate present unless: (1) the inmate is voluntarily absent; (2) the person or persons conducting the hearing believe on reasonable grounds that the inmate's presence would jeopardize the safety of any person present at the hearing; or (3) the inmate seriously disrupts the hearing.	CCRA 33 (1)(2), CCRR 21 (2a), CD 590 (21b)
11	An inmate involuntarily placed in administrative segregation shall receive regular reviews by the segregation review board no less frequently than once every 30 days, if the inmate remains in administrative segregation.	CCRA 33(1), CCRR 21 (2b), CD 590 (21d)
12	The inmate shall be given an opportunity to be present and to make representations at the hearings.	CCRR 21 (3b), CD 590 (21c)
13	A written psychological or psychiatric opinion respecting the inmate's capacity to remain in segregation must be completed once every 30 consecutive days, shared with applicable staff and placed on the inmate's file.	CD 590 (7e)
14	The Regional Deputy Commissioner or designated regional headquarters staff member shall review the inmate's case at least once every 60 days to determine whether the administrative segregation of the inmate continues to be justified.	CCRR 22, CD 590 (31)
15	In the case of extended segregation the IH will ensure the development of a plan, normally within 60 days of placement in segregation, addressing in detail the schedule of activities for the inmate for: <ul style="list-style-type: none"> ➤ case management services; ➤ access to spiritual support; ➤ the opportunity to exercise for at least one hour every day outdoors, weather permitting, or indoors where the weather does not permit; ➤ psychological counseling; and ➤ administrative, educational and health care services. 	CD 590 (7d), (24)
Notification Process		
16	The inmate shall receive notification in writing at least 3 working days prior to the date and time of each regular review and given the opportunity to attend the hearing. At this time, the inmate will also receive a copy of any documentation to be used in the review that is	CCRR 21(3a), CD 590 (21e,f)

	pertinent to the inmate's particular case, except that information which is exempt in accordance with Commissioner's Directive 095, entitled "Information Sharing with Offenders".	
17	The inmate's intention to attend the review or not shall be documented.	CD 590 (21e)
18	The inmate shall be provided with CD's and Standing Orders on request.	CD 590 (21f)
19	The inmate shall receive a written notification of the Review Board's recommendation to the IH and the reasons for this recommendation. Further, the inmate shall receive written notification of the IH's decision within 48 hours of the review.	CCRR 21 (3c), CD 590 (21g, h)
20	The IH shall ensure that there is a process in place to assist the inmates to understand their procedural rights.	CD 590 (22)
Visits		
21	The Administrative Segregation area shall be visited daily, including weekends, by the IH or designated staff person not below the level of Unit Manager, except on weekends when it shall be conducted by the officer in charge of the institution. If the daily visits have been delegated, the IH or the Deputy Warden shall visit at least once a week. During these visits, the manager shall meet with any segregated inmate upon request.	CCRA 36 (2), CD 590 (25- 27)
22	Each inmate in segregation shall be visited daily, including weekends, by a registered health care professional.	CCRA 36 (1), CD 590 (28)
Conditions of Confinement		
23	While the inmate is segregated, (s)he shall be accorded all the rights, privileges and conditions of confinement of those inmates in the general population except for those which can only be enjoyed in association with other inmates or cannot reasonably be given due to limitations of the segregation area or security requirements. This includes case management, access to spiritual support, at least one hour of exercise each day, psychological counseling and administrative, educational and health care services.	CCRA 37, CD 590 (23), (24)
24	When an inmate is placed in administrative segregation, the institutional head shall be responsible for ensuring the provision of safe and humane custody.	CD 590 (7a)
General		
25	The Regional Deputy Commissioners shall report to the Commissioner on a semi-annual basis (December 31 and June 30) the number of inmates kept in administrative segregation, by name and by category (involuntary and voluntary) and the reasons for any inmates administratively segregated in excess of 90 days.	CD 590 (32)
26	The segregation log (CSC Form 218) shall be maintained. Copies of all documents including minutes of segregation review board, segregation logs (Form 218) shall be maintained on the inmate's file.	CD 590 (29), (30)

Audit Objectives and Criteria

<u>Objectives</u>	<u>Criteria</u>
<p>1. To assess the adequacy of the overall control framework for the management of administrative segregation.</p>	<p>1.1 <i>CSC Policies and Procedures</i> - Departmental policies and procedures are in compliance with the CCRA and CCRR as well as cover the various operational requirements of CSC.</p> <p>1.2 <i>Roles & Responsibilities</i> - Organizational roles and responsibilities have been defined and assigned.</p> <p>1.3 <i>Orientation/Training</i> – Orientation and training for segregation are consistent and sufficient to ensure all parties involved are fully aware of the responsibilities.</p> <p>1.4 <i>Monitoring</i> – Processes are in place at the regional and national levels to monitor the segregation function</p>
<p>2. To determine whether the initial placement of inmates is supported.</p>	<p>2.1 <i>Placement</i> - Documentation supports that the placements in segregation have been properly authorized, are based on fair and reasonable grounds to believe that a threat exists and there is no current reasonable alternative to administrative segregation.</p>
<p>3. To determine whether continued segregation is supported and reasonable efforts are being made to reintegrate inmates, and to assess the level of compliance to the administrative requirements of the segregation process related to the reviews/assessments, notification and sharing of information with inmates, as well as the recording of information in OMS.</p>	<p>3.1 <i>Continued Segregation</i> - There is evidence to support that all reasonable efforts have been made at various levels of the organization to reintegrate the offender into general population.</p> <p>3.2 <i>Controls</i> - Procedures and controls have been implemented at the institutional and/or regional level to ensure compliance to administrative requirements related to the completion of reviews/assessments, notification and sharing of information with offenders, and visits to the unit.</p> <p>3.3 <i>Reviews/Assessment</i> - Reviews and assessments are being performed as required.</p>

<u>Objectives</u>	<u>Criteria</u>
	<p>3.4 <i>Notification and Sharing Information</i> - Offenders are notified of hearings and information is shared in accordance with the requirements.</p> <p>3.5 <i>Recording of Information</i> - Offender Management System (OMS) is being utilized as the principle file of record.</p>
<p>4. To determine whether the conditions of confinement of inmates in segregation meet the intent of the law.</p>	<p>4.1 <i>Rights and Privileges</i> - Rights and privileges of segregated inmates as defined by legislation and policies are being protected during the period of segregation.</p> <p>4.2 <i>Conditions of Confinement</i> - Living conditions in administrative segregation are safe, humane, hygienic and provide for the basic necessities.</p>

Institutions Visited

Atlantic Region

Atlantic Institution – Maximum security
Dorchester Penitentiary – Medium security
Nova Institution for Women – Multi-level security

Quebec Region

Special Handling Unit – Maximum security
Donnacona Institution – Maximum security
Cowansville Institution – Medium security
Leclerc Institution – Medium security
Joliette Institution for Women – Multi-level security

Ontario Region

Kingston Penitentiary – Maximum security
Millhaven Institution – Maximum security
Joyceville Institution – Medium security
Bath Institution – Medium security
Grand Valley Institution for Women – Multi-level security

Prairie Region

Edmonton Institution – Maximum security
Regional Psychiatric Centre – Multi-level security
Saskatchewan Penitentiary – Medium security
Stony Mountain Institution – Medium security
Edmonton Institution for Women – Multi-level security

Pacific Region

Kent Institution – Maximum security
Mountain Institution – Medium security
Matsqui Institution – Medium security
Fraser Valley Institution for Women – Multi-level security

Management Action Plan

Recommendation	Action Summary	OPI	Key Deliverables	Completion Date
<p><u>Recommendation 1:</u></p> <p>a) The Assistant Commissioner, Correctional Operations and Programs (ACCOP) should update the current version of CD 590 Administrative Segregation as required.</p>	Update CD 590	ACCOP	Final sign off of revised CD 590 by Commissioner	September 2007
<p>b) Provide clarification regarding the requirements for a plan of activities for each inmate and the need to take into account inmate's state of health and health care needs in decisions related to administrative segregation, and</p>	Clarification to be provided in revised CD 590 and annexes	ACCOP Health Services (HS)	Final sign off of revised CD 590 by Commissioner	September 2007
<p>c) Centralize information for all segregation related directions, clarifications, and resources to allow for easy access by staff.</p>	A link will be set up on the Institutional Reintegration - Operations site specific to administrative segregation and include reference materials such as CD 590 and its annexes, updated handbooks, and historical information.	ACCOP	Administrative segregation website operational	September 2007

<p><u>Recommendation 2:</u></p> <p>ACCOP, in collaboration with the Assistant Commissioner, Human Resource Management (ACHRM) and the Deputy Commissioner for Women (DCW), should develop standardized national training for staff working in segregation to reinforce the consistent application of the segregation process across the country.</p>	<p>Development of standardized national training for staff working in segregation. ACCOP will lead the completion of a staff administrative segregation handbook. ACHRM will lead the completion of Correctional Management Learning Centre (CMLC) course updates, a Segregation Review Board (SRB) Chair Computer Based Training (CBT) package and a staff training package.</p>	<p>ACHRM ACCOP</p>	Staff administrative segregation handbook	November 2007
			CMLC course update	January 2008
			SRB Board Chair CBT package	April 2008
			Staff training package	June 2008
<p><u>Recommendation 3:</u></p> <p>ACCOP, in collaboration with the ACHRM, should ensure the development, approval, and implementation of a work description for the Regional Segregation Oversight Manager (RSOM) position.</p>	<p>Development, approval, and implementation of a work description for the RSOM position.</p>	<p>ACCOP ACHRM</p>	Development of RSOM work description	October 2007
			Submission to Corporate Classification	November 2007
			Approval from National Human Resource Management Committee (NHRMC) and implementation of RSOM work description	April 2008

<p><u>Recommendation 4:</u></p> <p>a) ACCOP, in collaboration with the Regional Deputy Commissioners (RDCs) should ensure that follow-up is completed on the action plans identified to address deficiencies raised during the regional audits; and</p>	<p>The 2007/2008 fiscal year audits will be completed by August 2007 and follow-up will occur on any action-plans. As a result of the implementation of the new CD 590, no administrative segregation audits will then take place for one year in order to allow for the new policy implementation and training. During this period, the new audit tool will be developed. An associated monitoring framework will be in place for monitoring new audit results. The 2008/2009 audits will be conducted between September 2008 and March 2009</p>	<p>RDCs ACCOP Performance Assurance (PA)</p>	<p>RDC commitments for 2007/2008 audit plan and follow-up.</p> <p>RDC response on 2007/2008 administrative segregation audit results and follow-up to ACCOP.</p> <p>Development of a new administrative segregation monitoring/audit tool, in collaboration with PA.</p> <p>RDC commitments for 2008/2009 audit plan and follow-up.</p> <p>RDC response on 2008/2009 administrative segregation audit results and follow-up to ACCOP.</p>	<p>April 2007 Complete</p> <p>September 2007</p> <p>August 2008</p> <p>September 2008</p> <p>April 2009</p>
<p>b) ACCOP, in collaboration with the Deputy Commissioner for Women, should ensure that monitoring is done to identify any national trends in the</p>	<p>Audit information will be reviewed and monitored Regionally and Nationally. ACCOP advised of any national issues.</p>	<p>ACCOP DCW PA</p>	<p>RDC will identify any regional trends in their response on 2007/2008 audits to ACCOP.</p>	<p>September 2007</p>

results of these regional audits.			2007/2008 audits will be reviewed to identify any national trends and ACCOP and DCW advised of any national trends.	October 2007
			RDCs will identify any regional trends in their response on 2008/2009 audits to ACCOP.	April 2009
<p><u>Recommendation 5:</u></p> <p>ACCOP, in collaboration with the RDCs, should emphasize the need for:</p> <ul style="list-style-type: none"> • Segregation documentation to contain all necessary dates and signatures, and that it be filed properly; • The implementation of controls to monitor documentation compliance; and • The need to input all required segregation information in placement documentation and SRB documents. 	<p>ACCOP will send a memo to RDCs regarding ensuring proper documentation compliance and monitoring. RDCs will implement an action plan and report to ACCOP.</p> <p>Annexes B, C, D and E of CD 590 will provide content guidelines and ensure that the appropriate information is captured in placement documentation and SRB documents.</p>	ACCOP RDCs	ACCOP will send a memo to RDCs regarding ensuring proper documentation compliance and monitoring.	June 2007
			RDCs will implement an action plan and report on their commitments and follow-up to ACCOP	July 2007
			Final sign off of revised CD 590 by Commissioner	September 2007
<u>Recommendation 6:</u>				

ACCOP should provide guidance regarding the provision of psychological opinions as part of the psychological assessment of segregated inmates and to ensure compliance with policy.	Annex E of the CD will provide guidance regarding the provision of psychological opinions and ensure compliance with policy.	ACCOP HS	Final sign off of revised CD 590 by Commissioner	September 2007
<u>Recommendation 7:</u>				
ACCOP should provide additional guidance regarding viable options for the management of voluntary inmates who refuse to leave segregation.	The Assistant Deputy Commissioner, Institutional Operations (ADCIO) Atlantic will lead the ADCIO team in developing a strategy to address options for the management of voluntary inmates who refuse to leave segregation. ACCOP will review, finalize and approve the strategy.	ADCIO Atlantic	ACCOP approval of strategy.	November 2007
	The Population Management Committee was established and meets regularly to assist in the management and prioritization of these cases via inter-regional transfers. Population management levers have been developed and are monitored and trends assessed by the committee, which can assist in	ACCOP ADCIO	Creation and ongoing regular meeting of the Population Management Committee.	2006 Complete

	providing viable options.			
	ACCOP will request that Research conduct a literature review of existing material and complete a synopsis. The findings will determine inclusion in future research planning.	ACCOP Assistant Commissioner, Policy & Research (ACPR)	ACCOP letter to ACPR requesting literature review.	June 2007 Complete
			Completion of literature review.	2008/2009