

# Special Handling Unit Audit Report



Performance Assurance Sector  
Correctional Service Canada

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## *Executive Summary*

The audit of the Special Handling Unit (SHU) was conducted from October 3-6, 2000 as part of the Performance Assurance audit calendar for 2000-2001. The primary purpose of the audit was to follow-up on the recommendations of the previous SHU audit conducted in May 1998. In addition, a sample of files was examined to ensure that the overall SHU process was still being followed.

According to Commissioner's Directive #551 ("Special Handling Units"), the purpose of the SHU is to "create an environment in which dangerous inmates are motivated and assisted to behave in a responsible manner so as to facilitate their integration in a maximum security institution". It further defines a dangerous inmate as one whose "behaviour is such that it causes serious harm or death or seriously jeopardizes the safety of others". This determination can be "based on a single significant behaviour or on a series of violent behaviours".

As a result of the previous audit, four recommendations were made to address the issues identified. The results of the current audit show that most of these recommendations have been completed. Some of the other recommendations, however, require a change or clarification to the current policy. At the time of the audit, a new policy had not yet been approved. As a result, the recommendations made following the previous audit had not yet been implemented. Further, the current review identified an even more pressing need to update the policy, as many aspects no longer apply in the current context of the SHU. **(UPDATE: In February 2001, CD 551 was amended to reflect most of the issues raised during the previous audit. However, two items relating to timeframe requirements remain outstanding.)**

Aside from the issues relating to the follow-up to the previous recommendations, the audit team made some observations relating to the general process:

**Involuntary transfer process:** Improvements were noted in the level of detail provided in the transfer documents with respect to the reasons for the transfer to the SHU. In addition, there was indication on file that offenders are being provided the opportunity to submit a response to the recommendation for involuntary transfer and are being notified of their right to legal counsel. Where a response was submitted, there was evidence in all files reviewed but one that the information was considered during the decision-making process. The audit team also noted that there has been a reduction in the number of offenders being transferred to the SHU shortly before their SRD or WED.

**Initial assessment and subsequent evaluations:** The audit team made some observations with respect to the quality of reports (does not prioritise or provide a rationale for programs, lack of analysis with respect to the recommendation to maintain an offender at the SHU, large portions copied from other reports, etc.).

**National Review Committee (NRC) decisions:** Offenders are being provided written notification of upcoming NRC meetings and given the opportunity to meet with two members of the Committee. Offenders are being met upon request and this is being recorded in casework

records on OMS. Most sharing of information with the offender is being done within two working days. One issue that was raised in the previous audit that still requires some attention is the level of detail provided to the offender in the National Review Committee decision sheets.

The audit team did not examine the issue of programs at the SHU, in light of the fact that a national working group has recently taken on this task. The report (entitled "Reintegration Programs at the Special Handling Unit") was submitted to the Senior Deputy Commissioner in January 2000.

### Summary of Recommendations and Action Plans

The audit team made two recommendations to address the issues identified. Action plans have been submitted and are included below.

#### RECOMMENDATIONS (from current audit - October 2000)

- 1. That the policy relating to the Special Handling Unit be updated to address the issues identified in the previous audit and to ensure that it reflects the current reality.**

**Action by: Assistant Commissioner, Correctional Operations and Programs**

***Response from ACCOP:*** CD 551 was amended in February 2001 to reflect that the SDC is the decision-maker for placements to and from the SHU, with exception of transfers to the SHU for assessment purposes. Minor changes were also made to ensure that the CD reflects reality (i.e. reference to two SHUs was removed). Issues identified in previous audit have been addressed. Actions required by Institutional Reintegration Operations Division are complete. **(Audit team's note: Although the revised CD issued in February 2001 addresses most of the issues identified in the previous audit, there are still two clarifications required relating to timeframe requirements as discussed on pages 5 and 9 of this report.)**

- 2. That there be monitoring of the quality of documentation to address the issues identified in the current audit including:**

- a) Reports relating to the transfer of offenders to the SHU - ensure that it is clearly analysed and stated in the report why no other alternatives exist to a transfer to the SHU;**

**Action by: Regional Deputy Commissioners**

This issue was discussed at the ADC meeting in May 2001, as well as the consistency and quality of reports. In addition, the following regional responses were received:

**Atlantic:** On 01/04/20, a memo was sent by the RDC to all Wardens in the region. The memo asked Wardens to ensure that staff are duly instructed as to the importance of fully adhering to the content guidelines and ensuring that all reports include a clear analysis of potential alternatives, and an explanation why no alternative is deemed to be appropriate, suitable or viable. It further required them to have Unit Managers and Case Management Coordinators monitor all SHU assessments for the presence of such an analysis, and have assessments amended whenever the analysis is less than clear and thorough. In addition, the Regional Transfers Officer was instructed to monitor for such content for all SHU cases referred to RHQ for the Deputy Commissioner's consideration.

**Quebec:** The duty of conducting quality control will be assumed by the RRC Transfer Coordinator who already reviews files submitted for the SHU. If problems are discovered and if certain instructions require revision, the ADC O/P must be informed and must take appropriate measures. **(Date:** Immediate implementation)

**Ontario:** A detailed action plan was submitted indicating the individual responses received from each Warden. In general, this plan showed that the plan for each site addressed accountability, quality control and alternatives.

**Prairies:** An action plan has been developed and implemented in the Prairie Region effective 00/09/01. Reports for each case are prepared by the potential sending Institution and approved by the Warden of that Institution. The reports are forwarded to the Regional Transfer Coordinator who reviews the reports and examines all alternatives to SHU placement. An analysis is completed and a summary of the case including why there is no other alternative to the SHU is included in the report. This is then presented to the Regional Deputy Commissioner for decision.

Quarterly reviews of a sample of SHU transfer reports are conducted by Performance Assurance to ensure compliance. This portion of the process was instituted 01/04/01 with the first review scheduled for August, 2001.

**Pacific:** The Pacific region monitors quality control of transfer reports in two phases. First, institutional management is responsible for quality control of Assessments for Decision related to transfers. A memo dated 2001/05/09 reminded Wardens of the responsibility to ensure quality control on the content guidelines of SOP 700-15 and the analysis of the criteria. Second, the RHQ Reintegration sector reviews transfer packages on behalf of the Deputy Commissioner to ensure they are complete and comprehensive. This monitoring process has been in place for several years, originally conducted by the Regional Transfer Officer, now staffed as a Project Officer, Reintegration.

2. b) **Assessments for Decision and Correctional Plan Progress Reports prepared by the SHU for consideration by the NRC - ensure that the quality issues raised in the current report are addressed;**

**Action by: Warden, Regional Reception Centre (Quebec)**

**Response from Warden, RRC:**

- 1) Steps are currently being taken to enhance the content of the reports in the areas specified in the report.
- 2) As concerns decisions made following reviews by the SHU Advisory Committee and the decision made by the Senior Deputy Commissioner, we will ensure that all decision sheets clearly reflect the decision made and the expectations of the decision-maker regarding transfers from the SHU.

**Date:** Will be updated by September 30, 2001.

2. c) **NRC decision sheets (on the Offender Management System) - provide a more detailed rationale for decision and outline expectations for consideration of transfer from the SHU.**

**Action by: National SHU Review Committee**

**Response from the Chair of the NRC:** Following the debriefing by the Audit Team, the Senior Advisor together with the Warden of the Regional Reception Centre (Quebec) reviewed the content of the rationale section of the NRC decision sheets and identified the improvements required. With the assistance of the Clinical Coordinator, the required improvements have been implemented. The National SHU Advisory Committee and the Clinical Coordinator will monitor the decision sheets to ensure adequate quality control. This activity is ongoing.

## ***Introduction***

The audit of the Special Handling Unit (SHU) is listed on the audit calendar for 2000/2001 for the Internal Audit Branch of Performance Assurance at National Headquarters. The audit was conducted from October 3-6, 2000.

The primary purpose of the audit was to conduct a follow-up of the four recommendations made during the May 1998 audit of the SHU. In addition, the audit team examined a sample of files to ensure that CSC is still complying with the general requirements of the process. These are outlined in the CCRA and CCRR, as well as Standard Operating Practice (SOP) 700-15 and Commissioner's Directive (CD) 540 on "Transfer of Offenders" and CD 551 "Special Handling Units".

Given that there is only one SHU, offenders are transferred there from all five regions. The management of offenders once they arrive at the SHU is the responsibility of the Warden of the Regional Reception Centre in Quebec (where the SHU is located), although all decisions to formally admit to and transfer out of the SHU are made by a National Review Committee (NRC).

As of September 30th, 2000, there were 85 offenders at the SHU. According to the SHU Interim Report for this period, three of these offenders were approved for transfer out at this time. Fourteen were still involved in the initial assessment phase and a decision had not yet been taken by the NRC to formally admit or deny admission to the SHU. This brings the number down to 68 offenders with an official SHU status as of September 30th, 2000. The Interim Report provides further information on the population of 85 offenders at the SHU, including the following:

<b>Length of stay at the SHU as of September 30, 2000</b>		<b>Region of origin</b>	
		Atlantic	14%
< 2 years	71%	Quebec	33%
2-5 years	19%	Ontario	13%
> 5 years	10%	Prairies	19%
		Pacific	21%

## ***Methodology***

The majority of the audit was conducted through case reviews on the Offender Management System (OMS) and hard copy files. The audit team also met with staff at the SHU to discuss the current process.

A full case review was conducted on 11 files, randomly selected from the current SHU population. The audit team attempted to select a sample that reflected cases from all four Parole

Officers working at the SHU, as well as from all five regions. The focus of this sample was on offenders who had been transferred to the SHU since the previous audit in 1998.

To further examine certain specific aspects of the process, the audit team randomly selected other case samples, depending on the nature of the issue. For example, when examining the number of offenders released from the SHU on Statutory Release or Warrant Expiry, the audit team looked at the database of all SHU offenders for a one-year period.

### ***Audit team***

The audit team members that conducted the SHU audit, were Robert Hurtubise (Performance Assurance, RHQ Atlantic), Zulekha Nathoo (Performance Assurance, NHQ) and Trish Trainor (Performance Assurance, NHQ).

***Part 1 - Follow-up of recommendations  
from the 1998 audit of the SHU***

The primary purpose of the current audit was to assess the extent to which improvements had been made to the process following the previous audit in May 1998. At that time, four recommendations were made. The following section provides an update of the status of each of these four recommendations.

The audit team noted that many of the previous recommendations required changes and clarifications to CD 551 on "Special Handling Units". To date, a new policy has not yet been approved. As a result, the audit team used the same interpretations as during the previous audit with respect to the required timeframes for completing reports and decisions. In addition, the audit team noted an even more pressing need to update the current policy, as many aspects no longer apply in the current context of the SHU. For example, there is still a reference to two Special Handling Units (although the Prairies SHU was closed in October 1997). In addition, the names of the case management reports were changed under Operation Bypass, and the description of the Chairperson of the National Review Committee as an Assistant Deputy Commissioner no longer applies. In fact, the Senior Deputy Commissioner recently assumed this position. **(UPDATE: In February 2001, CD 551 was amended to reflect the most of the issues raised during the previous audit. However, two items relating to timeframe requirements remain outstanding, as will be discussed further in this report on pages 5 and 9.)**

**RECOMMENDATION #1 (from 1998 audit report)**

**The Correctional Operations and Programs sector of NHQ is currently reviewing the involuntary transfer process and CD 540. It is recommended that the policy in this regard be modified to include a requirement that the Progress Summary Report (PSR) identifies all alternatives explored and explains why the transfer to the SHU is the only reasonable alternative available.**

**Current status: Complete**

The content guidelines for Assessments for Decisions (A4D) contained in SOP 700-15 ("Transfer of Offenders", dated 99/10/05) indicate that the A4D must:

*Provide an analysis of the offender's behaviour to date as well as an assessment of the offender's potential for continued violent behaviour that poses serious risks to staff or offenders in a lesser security institution. The reason for the transfer to the Special Handling Unit as the only reasonable alternative should be clear.*

The audit team found that although policies are now in place, institutions are not always following the guidelines. In some cases examined, it was clearly indicated why there was no other alternative in the case than a transfer to the SHU. In others, however, this aspect was not always clear. The report would state, for example, that the offender "could no longer be managed in the current institution", without indicating why it would not be possible to transfer him to another institution in the same region or in another region.

Another observation during the previous audit was that there was a need for more detail with respect to the reasons for transfer to the SHU, particularly in those cases where there was more than one offender involved in the triggering incident. Several cases during the previous audit used the same report for a group of offenders being transferred to the SHU and it was not always clear what the level of involvement was for each individual offender. The audit team noted during the current audit that there was a noticeable improvement in the level of detail in the A4D with respect to the reasons for transfer to the SHU, compared to the reports reviewed during the previous audit.

**RECOMMENDATION #2 (from 1998 audit report)**

**That the Correctional Operations and Programs division at NHQ remind all institutions that inmates are to be advised (in writing) of their right to legal counsel. Institutions may meet this requirement by either using CSC form 893 (94-07) or modifying their in-house forms to contain this notice.**

**Status: Complete**

The required information was included in the interim SOP dated 99/02/01 and in the final SOP 700-15 dated 99/10/05. It reads as follows:

*When an involuntary transfer is proposed, an offender shall be advised, in writing, of his or her right to legal counsel without delay. Without delay means immediately unless there are compelling circumstances preventing immediate action and in those circumstances the delay cannot be more than 24 hours.*

The purpose of this recommendation was to ensure that institutions fulfilled their legal obligation to notify offenders in writing of their right to contact legal counsel, as required by paragraph 97(2) of the CCRR. The audit team verified this requirement in 21 cases transferred to the SHU since January 2000. There was evidence on file that the offender was advised in writing of his right to legal counsel in 20 (95%) of these cases (the one non-compliant case was a transfer from Matsqui Institution). This is an increase in the overall rate of compliance as compared to the previous audit, at which time 15 of the 19 cases reviewed (79%) met this requirement.

The audit team noted that there are several different approaches being used within each region (and sometimes even within the same institution) for advising offenders of the recommendation for involuntary transfer. In some cases, the official CSC form 893 ("Notice of Involuntary

Transfer Recommendation") is used, and in others, the information is included in an A4D or a memo to the offender.

**RECOMMENDATION #3 (from 1998 audit report)**

**That the NRC and SHU ensure that:**

- a) a decision is recorded in OMS and in the minutes of NRC meetings for all cases with a SHU status, including those transferred out to other institutions for specific purposes (program, treatment, court, etc.), in order to ensure the continuity of the case review; and**
- b) the timeframes outlined in CD 551 are clarified with respect to follow-up reviews by the SHU and resulting decisions by the NRC.**

**Status: Partially complete**

With respect to part a) of the above recommendation, the audit team found that this is now being completed. Cases from the past year reviewed during the audit were properly documented in the NRC minutes and OMS decision sheets.

With respect to part b) of the above recommendation, this issue has not been clarified since the last audit. The question relates to the requirement of the CD that states that:

*The Assessment and Program Committee of the Unit shall be responsible for monitoring the progress of the inmate in accordance with his correctional treatment plan. This progress shall be reviewed no less than once every four months and the resulting recommendations forwarded to the National Review Committee for its consideration.*

**(NOTE: This paragraph of CD 551 was not modified when the revised policy was issued in February 2001.)**

The primary interpretation issue with this requirement is the measurement of the four-month requirement for reviewing the progress of the offender. There are two aspects: the time between the two assessment reports (A4D) prepared by the SHU Parole Officer, and that between the two reviews by the National Review Committee. The previous audit found that the follow-up assessments were completed in time for the National Review Committee to review the case every four months. However, the timeframes between the two reports sometimes exceed four months (for example, a report might be prepared 3 weeks ahead of an NRC meeting and then prepared only one week before the next NRC meeting, resulting in reports being prepared at an interval greater than four months). Although this situation is not in compliance with the current wording of the CD, the fact that cases are reviewed by the NRC every four months meets with the intent of the CD. This is also in line with a legal opinion obtained since the previous audit, which

supported that the primary concern is the delay between reviews by the NRC. In the cases examined by the audit team for the current audit, there was no more than four months between NRC decisions, although there was one case where there was a delay of more than four months between the two A4Ds (two weeks).

**RECOMMENDATION #4 (from 1998 audit report)**

**That the NRC and the SHU ensure that the quality of documentation (NRC minutes and OMS decision sheets) be improved with respect to:**

- a) providing the reason for the inmate's transfer to the SHU as well as a clear link between the factors considered and the decision taken by the NRC;**
- b) ensuring that the decisions taken in particular cases (outside the norm) are carefully explained to indicate the actual status of the inmate with respect to the SHU;**
- c) ensuring that inmates are advised that NRC decisions can be grieved directly to the 3rd level.**

**Status: Partially complete**

With respect to part a) of the above recommendation, improvements have been made to the quality of decisions, although more detail is still required in some cases.

The audit team examined a sample of decisions by the NRC in the past year. The minutes of the Committee indicate only whether the offender had been met and whether the Committee was in agreement with the recommendation proposed by the case management team. The detail concerning each case is entered into the OMS decision sheet.

The audit team found that the content of OMS decision sheets reviewed varied from one case to the next. While some clearly indicated the reasons for the decision by the NRC, others were very brief and generic. The following are two examples illustrating the range of details provided to the offender:

*Example A: "Considering your implication in a violent incident last May, the members of the National Committee have decided to maintain you at the SHU. Your next review is scheduled in four months."*

*Example B: "The National Review Committee carefully reviewed your case on 2000-10-03. It is the Committee's conclusion that a transfer to a maximum-security institution is not warranted at this time. You are currently uninvolved in your correctional plan and despite the high need of intervention, your motivation is assessed as low. The Committee is well aware of your need for treatment and you are strongly encouraged to participate in your correctional plan and meet with your Parole Officer on a regular basis in order to discuss alternatives to your current SHU*

*status. There is no progress with regards to your dynamic factors and the Committee is of the opinion that the risk you currently present can not safely be managed within a regular maximum-security institution."*

In general, the audit team found that in some cases, there was no clear link between factors such as the behaviour of the offender and his participation in programs and the decision of the Committee. There were sometimes very similar cases where it was not evident why one offender was approved for transfer while another was maintained at the SHU. There were also very few cases where the expectations of the Committee were stated to indicate what would be required of the offender to be positively considered for a transfer out of the SHU.

With respect to part b) of the above recommendation, this was completed for those applicable cases in the past year. Improvements have been made in this area and each offender's status with respect to the SHU is clearly documented.

Finally, with respect to part c) of the recommendation, each NRC decision sheet reviewed contained a notification to the offender that the decision could be grieved directly to the 3rd level.

## ***Part 2 - Other observations of the current audit***

In addition to the follow-up of the recommendations from the previous report, the audit team examined a sample of recent cases to ensure that all other aspects of the process are still being followed. Eleven cases were reviewed for the entire process although for some aspects, a different or increased sample was selected in order to further explore a given element (eg., length of time for transfer to the SHU).

The following are the observations of the audit team with respect to issues not already addressed in the previous section.

### ***Involuntary Transfer Process***

Although the SHU is operated in the Quebec region, it is a national facility that houses inmates from across the country. As a result, any region may involuntarily transfer an inmate to the SHU, but the final decision to admit or not rests with the NRC.

The involuntary transfer of an offender to the SHU is initiated by the sending institution, usually based on a particular incident or a series of violent behaviours. The offender is notified that the institution is recommending an involuntary transfer to the SHU, and is given the reason(s) for this recommendation. The offender is also provided a copy of the reports prepared by their Parole Officer and is given the opportunity to respond to the recommendation. The information package is forwarded to the Regional Deputy Commissioner for a final decision on the involuntary transfer. The offender is then notified of this final decision.

***The observations of the audit team with respect to this process do not apply to the Special Handling Unit, but rather to institutions and regions who are transferring offenders to the SHU.*** The requirements for this process are outlined in SOP 700-15 "Transfer of Offenders".

In general, no major difficulties were identified with respect to this process. The audit team particularly focused on the requirement to notify the offender of the reasons for the transfer, his right to contact legal counsel (as discussed in the previous section), and his right to submit a response to the recommendation for involuntary transfer.

As previously mentioned, there has been an improvement in the notification to the offender with respect to the reasons for his transfer to the SHU. All offenders were notified of their right to submit a response to the recommendation. The audit team found that (except in one case) when the offender did submit a response, this information was included in the final decision by the Warden and the Regional Deputy Commissioner. Decision sheets indicated that the offender's response was considered in formulating the decision.

Of concern were those cases where there was a lengthy delay between the date of the transfer decision by the Regional Deputy Commissioner and the date of the actual transfer of the offender

to the SHU. In 19 cases examined, the number of days varied between 3 and 274, with an average of 76. In 7 of these cases, the delay was greater than 90 days. In most cases, the delay was due to a court appearance or a scheduled National Parole Board hearing. These offenders remain in administrative segregation during this lengthy period of time and it may be necessary to re-examine the need for an involuntary transfer to the SHU (based on issues such as the initial reasons for the transfer and the offender's behaviour during the extended period).

Another issue raised during the previous audit was that of cases transferred to the SHU shortly before their Statutory Release Date (SRD) or Warrant Expiry Date (WED). In 1997-98, nine offenders were released from the SHU on SRD and three others at their WED. However, between October 1, 1999 and September 30, 2000, this number was reduced to one offender released on SRD and three at their WED. In the case of the SRD release, the offender was transferred to the SHU two months before his SRD. In the WED cases, the offenders were at the SHU for three months, eleven months and four years respectively before their WED. It is noted that these offenders often face outstanding charges and are arrested upon their release from the SHU.

### **Initial assessment and subsequent evaluations**

CD 551 requires that offenders transferred to the SHU “shall undergo a comprehensive assessment to determine an appropriate intervention strategy and the required level of control”.

According to CD 551, the evaluation must be completed within three months after the offender's transfer to the SHU. The analysis and recommendation stemming from this assessment are then presented to the NRC for a final decision on whether to formally admit the offender to the SHU or deny admission and transfer him to a maximum-security institution. The NRC must examine the case and make a decision within one month of the completion of the assessment, which translates into a maximum of four months from the transfer of the offender to the SHU. In 6 of the 10 cases examined, the audit team found that the separate timeframes were not respected (30 or 90 days), however, the overall maximum of four months was met. **(NOTE: This issue was not clarified in the amended CD 551 issued in February 2001.)** It is noted, however, that according to the September 30, 2000 interim NRC report, over one third of cases are assessed and reviewed by the NRC within 90 days of the offender's transfer to the SHU.

Once the NRC has formally admitted an offender to the SHU, the current CD 551 requires that:

*The Assessment and Program Committee of the Unit shall be responsible for monitoring the progress of the inmate in accordance with his correctional treatment plan. This progress shall be reviewed no less than once every four months and the resulting recommendations forwarded to the National Review Committee for its consideration.*

At the end of the initial assessment period, and at each review period thereafter, the Parole Officer prepares an Assessment for Decision (A4D) and a Correctional Plan Progress Report (CPPR). These reports include information with respect to the reasons for the offender's transfer to the SHU, their participation and behaviour while at the SHU, and a recommendation to

maintain the offender at the SHU or transfer them to a maximum-security facility. In addition, the report identifies the date that the Assessment and Program Committee (APC) reviewed the case and their support for the recommendation as presented.

The audit team noted some improvements in the quality of reports but still found some deficiencies, such as:

- a large part is often "cut and paste" from the report produced by the sending institution with respect to the offender's transfer to the SHU;
- there is an indication of the programs that the case management team feels that the offender should take, but there is no analysis to support why these programs are necessary, whether they are mandatory prior to a positive recommendation for transfer out of the SHU, whether they are linked to criminogenic factors, etc.;
- there is a lack of prioritization or sequencing of the programs recommended in the CPPR;
- it was not always clearly indicated whether the offender participated in the initial assessment process or in subsequent interviews / programs;
- it was not always clear why the risk presented by the offender was not manageable in a regular maximum-security institution.

### **Programs**

The audit team did not examine this aspect of the SHU process, in light of the fact that a national working group has recently taken on this task. The report ("Reintegration Programs at the Special Handling Unit") was submitted to the Senior Deputy Commissioner in January 2000.

### **National Review Committee (NRC) decisions**

The NRC is composed of a Chairperson and all maximum-security wardens, with the Warden of the Regional Reception Centre as permanent Secretary. According to CD 551, the Chairperson, the Secretary and one maximum security Warden constitute a quorum. Presently, the NRC meets every two months, alternating on-site meetings at the SHU with conference calls. In order to ensure that two members are available to meet with offenders who request a meeting, some members (including the Chairperson) are also on site during conference calls.

Observations regarding the timeliness and the quality of the content of NRC decision sheets are included in section one of this report. According to CD 551, other aspects of the NRC decision-making process include notification to the offender that his case is to be reviewed, allowing the offender the opportunity to meet with two members of the NRC, and sharing of the decision within two working days.

In each of the eleven cases reviewed, the offender was informed of the date that his case was to be discussed by the NRC. This was done at least five days prior to the NRC meeting, as required by CD 551. (Given that the CD does not specify working or calendar days, the audit team used calendar days in their assessment of this requirement. The legal opinion obtained following the audit supports this interpretation.) The notice to the offender also informs him of his right to meet with two members of the NRC or to submit written comments.

When an offender requests to meet with the NRC, his name is recorded in a log for this purpose. Following each meeting, a casework record is entered in OMS for each offender seen by the NRC and includes the names of the persons present and the subject of the discussion. The audit team verified a sample of casework records for offenders recorded in the log over the past year and confirmed that this is being done.

The audit team found that the sharing of NRC decisions was completed within two working days of the decision in all cases, with the exception of those decisions taken at the NRC meeting in June 2000. In the current process, decision sheets are often prepared for the Chairperson's signature prior to his departure from the SHU, which facilitates sharing with the offender within the required two working day period. In other instances, however, decision sheets are extracted from OMS and signed by the Chairperson from another location and sent back to the SHU for sharing. It was this latter scenario that caused the delay in June 2000.

### **RECOMMENDATIONS (from current audit - October 2000)**

- 1. That the policy relating to the Special Handling Unit be updated to address the issues identified in the previous audit and to ensure that it reflects the current reality.**

**Action by: Assistant Commissioner, Correctional Operations and Programs**

- 2. That there be monitoring of the quality of documentation to address the issues identified in the current audit including:**

- a) Reports relating to the transfer of offenders to the SHU - ensure that it is clearly analysed and stated in the report why no other alternatives exist to a transfer to the SHU;**

**Action by: Regional Deputy Commissioners**

- b) Assessments for Decision and Correctional Plan Progress Reports prepared by the SHU for consideration by the NRC - ensure that the quality issues raised in the current report are addressed;**

**Action by: Warden, Regional Reception Centre (Quebec)**

- c) NRC decision sheets (on the Offender Management System) - provide a more detailed rationale for decision and outline expectations for consideration of transfer from the SHU.**

**Action by: National SHU Review Committee**