

BACKGROUNDER

42nd Annual Report to Parliament

Overview

- This is the 11th Annual Report to Parliament issued by Mr. Howard Sapers, who has served as Correctional Investigator since April 2004.
- The Report makes 18 recommendations on a variety of correctional practices.

Focus on Segregation

- The 2014-15 Annual Report contains a special focus on administrative segregation. The report documents the overuse of segregation as a population management tool:
 - 27% of the inmate population experienced at least one placement in administrative segregation.
 - Half (48%) of the current inmate population has experienced segregation at least once during their present sentence.
- There were only 209 placements in disciplinary segregation compared to 8,300 placements in administrative segregation.
- The average length of stay in administrative segregation is more than twice that of disciplinary segregation.
- Inmates in administrative segregation are:
 - Twice more likely to have a history of self-injury and attempted suicide.
 - 31% more likely to have a mental health issue.
- Nearly 70% of inmates at the Regional Treatment Centres (psychiatric hospitals) have a history of administrative segregation.
- Certain incarcerated groups are more affected than others, including federally sentenced women with mental health issues, Aboriginal and Black inmates.
- Aboriginal inmates have the longest average stay in segregation compared to any other group.

Other Issues of Concern

Health Care

- Mental illness, drug/alcohol addiction and infectious disease are the most prevalent health problems among offenders:
 - Almost half of incoming male offenders have a alcohol dependence or substance use disorders
 - Nearly one-third of women offenders have previously been hospitalized for psychiatric reasons.
 - 17% of the incarcerated population is infected with Hepatitis C.
- The proportion of the inmate population over the age of 50 has grown to nearly 25%, an overall increase of nearly one-third in the last five years.
- System is facing capacity and resource challenges to provide for the increased health care needs associated with aging, chronic illness and end-of-life care.
- The management of self-injurious, suicidal and mentally ill offenders continues to be met with security-driven responses including use of force, restraints and segregation.

Prevention of Deaths in Custody

- The number of prison deaths attributable to “natural” causes has increased (two-thirds of all deaths) reflecting an aging inmate population and chronic health conditions.
 - The average age of death from natural mortality in federal corrections is 60 years, well below national life expectancies.
- Suicide is the leading cause of un-natural death in custody accounting for about one-in-five deaths in custody in any given year.
- A disproportionate number of prison suicides occur in segregation units.
- Recurring gaps and risks in CSC’s overall deaths in custody prevention strategy:
 - Screening, identification and monitoring of suicide risk
 - Information sharing issues
 - Timely access to mental health services
 - Sustained focus on lessons learned and best practices

Conditions of confinement

- Safe custody indicators have slipped over the past decade:
 - The number of use of force incidents have almost doubled
 - Admissions to administrative segregation increased by 15.5%
 - Incidents of prison self-injury have tripled
 - Involuntary transfers increased by 46%
 - Inmate assaults have more than doubled
- CSC's inmate complaint and grievance system is overwhelmed by a growing backlog and prolonged delays. The system does not meet the legislative requirement to "expeditiously" resolve offender grievances.
- Inmates are bearing more of the costs to keep themselves clothed, fed, housed and cared for behind bars.
- Managing sentences with the result that less time served in the community does not enhance public safety and may actually increase reoffending.

Aboriginal Corrections

- Over the past ten years, the Aboriginal inmate population has increased by more than 50%. As a group, Aboriginal people accounted for half of the total growth in the federal inmate population over this time period.
- CSC continues to only make minimal use of Aboriginal specific legislative measures (Sections 81 and 84 of the *Corrections and Conditional Release Act*).
- The requirement to consider Aboriginal social history (*Gladue* factors) in important correctional decisions (e.g. security classification, segregation placements, transfers and conditional release) has been inadequate and inconsistent.
- Penitentiary-based interventions are expanding at a much greater rate than community reintegration alternatives for Aboriginal offenders.

Safe and Timely Reintegration

- CSC is falling short on its mandate and capacity to prepare offenders for safe and timely reintegration:
 - In 2013-14, only 20% of offenders had their cases prepared in time to meet their earliest parole eligibility date.
 - 65% of offenders in 2013-14 did not complete their correctional program(s) before their first parole eligibility date.

- 54% of offenders returned to the community in 2013-14 were released at statutory release rather than parole.
- CSC has not developed guidelines to prioritize the delivery of education programs among other interventions identified in offenders' correctional plans.
- There is a shortage of meaningful institutional work and vocational skills training that reflect current and emerging labour market realities.

Federally Sentenced Women

- From 2005 to 2015, the number of federally incarcerated women has increased by more than 50%, which is far greater than the overall inmate growth rate of 10%.
- The number of Aboriginal women inmates more than doubled over the last decade. 35.5% of the women inmate population is Aboriginal.
- Conditions of confinement in the five regional women's facilities increasingly mirror male institutions with increases in segregation placements, use of force incidents, inmate assaults and incidents of self-injury.
- CSC has limited capacity and resources to address complex mental health needs or chronic self-injurious behaviour among women.

Recommendations

The Report makes 18 recommendations. Key recommendations include:

1. CSC should develop a comprehensive analysis of annually tracked and reported trends and causes of natural mortality among the federal inmate population.
2. CSC should engage its Health Care Advisory Committee to develop a chronic/long-term care model that is responsive to the needs of the growing number of older/geriatric people behind bars.
3. The Government of Canada should amend the *Corrections and Conditional Release Act* to significantly limit the use of administrative segregation, prohibit its use for inmates who are mentally ill and for younger offenders (up to 21 years of age), impose a ceiling of no more than 30 continuous days, and introduce judicial oversight or independent adjudication for any subsequent stay in segregation beyond the initial 30 day placement.
4. CSC should re-tool its Corcan employment and employability program to focus on building capacity in vocational skills training in demand areas.