



Ombudsmanship in Canada: The Office of the Correctional Investigator as a specialized prison Ombudsman

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The Correctional Investigator
Canada

L'Enquêteur correctionnel
Canada

Canada

Outline of Presentation

- I. Purpose of an Ombudsman
- II. The Office of the Correctional Investigator
- III. Complaint Resolution
- IV. Opportunities for Cooperation and Collaboration
- V. Making a Difference



Purpose of an Ombudsman

“..the basic purpose of an ombudsman is provision of a ‘watchdog’ designed to look into the entire workings of administrative laws ... S/he can bring the lamp of scrutiny to otherwise dark places, even over the resistance of those who would draw the blinds. If his/her scrutiny and observations are well-founded, corrective measures can be taken in due democratic process, if not, no harm can be done in looking at that which is good.”

Chief Justice James Valentine Hogarth Milvain
Supreme Court of Alberta (Trial Division)
Re Ombudsman Act (1970) 72 W.W.R. 176



Why a Specialized Prison Ombudsman?

Prisons are largely closed to public view; in a closed system, the potential for abuse of state and/or correctional authority remains ever-present.

In Canada, outside intervention by the courts and Parliament, independent oversight and external review have been necessary to make correctional progress.

Underlines Human Rights dimensions of incarceration.

Inmates need an independent and impartial vehicle to resolve their problems in a timely fashion.

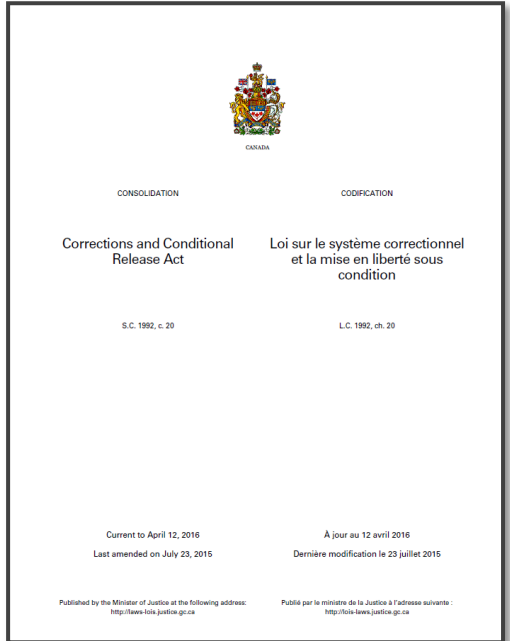
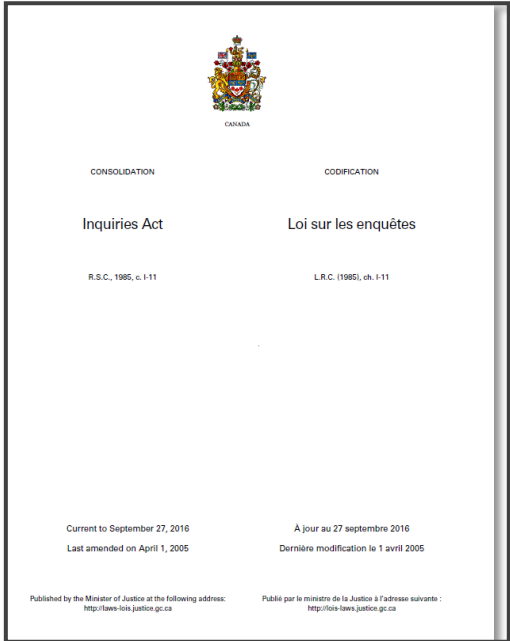
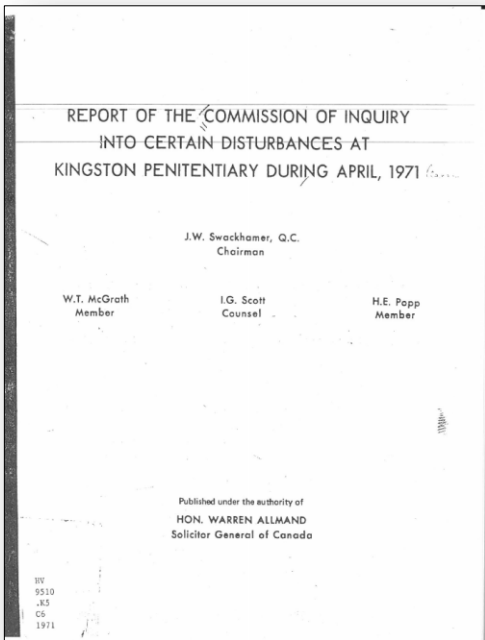
External oversight assists in the maintenance of a safe, effective and accountable correctional system.

Reinforces notion that incarceration is the ultimate expression of state authority.

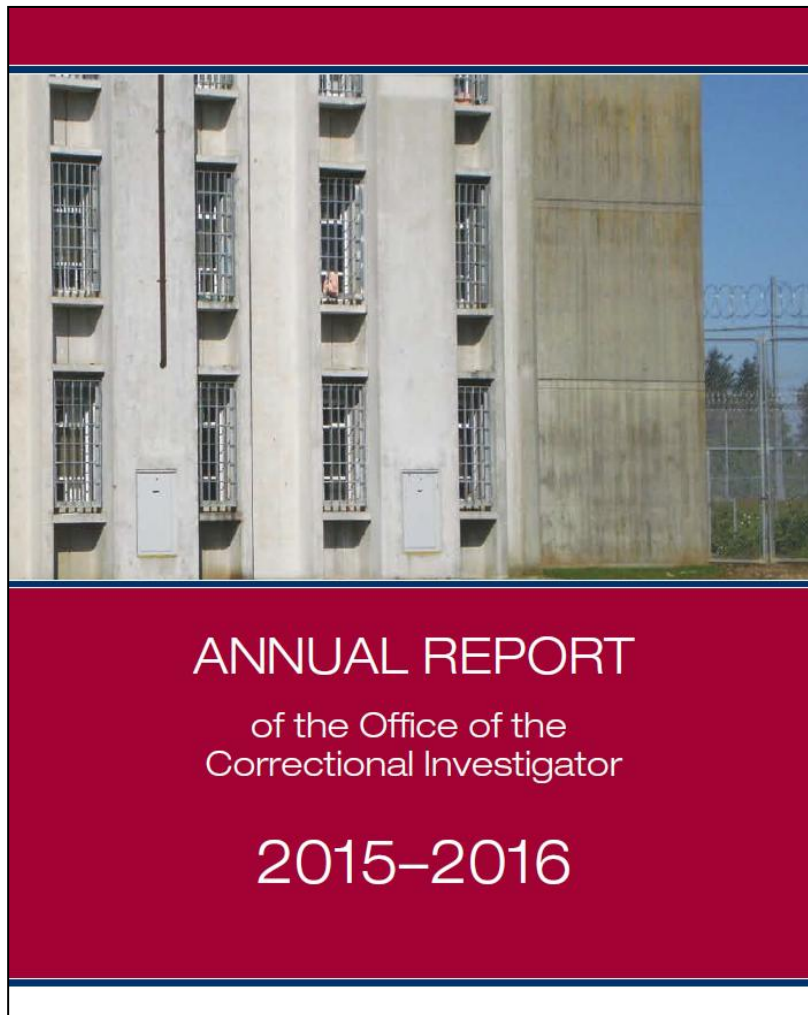
Compliance with legal and policy obligations increases the odds of releasing a more responsible citizen.



Evolving Legislative Role and Mandate



The Office of the Correctional Investigator



“As the ombudsman for federally sentenced offenders, the Office of the Correctional Investigator serves Canadians and contributes to safe, lawful and humane corrections through independent oversight of the Correctional Service of Canada by providing accessible, impartial and timely investigation of individual and systemic concerns.”



Evolving Role and Mandate



Access to Physical and Mental Health Care



Preventing Deaths in Custody



Conditions of Confinement



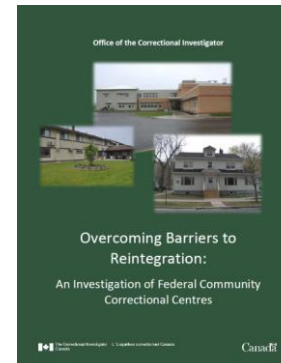
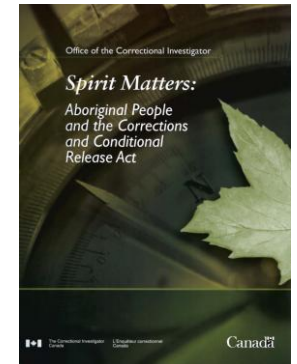
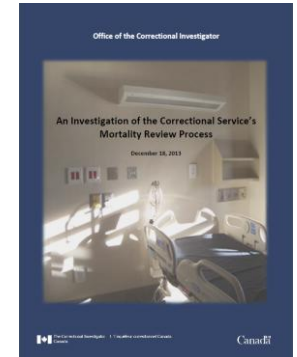
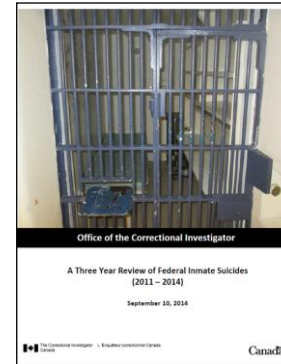
Indigenous Corrections



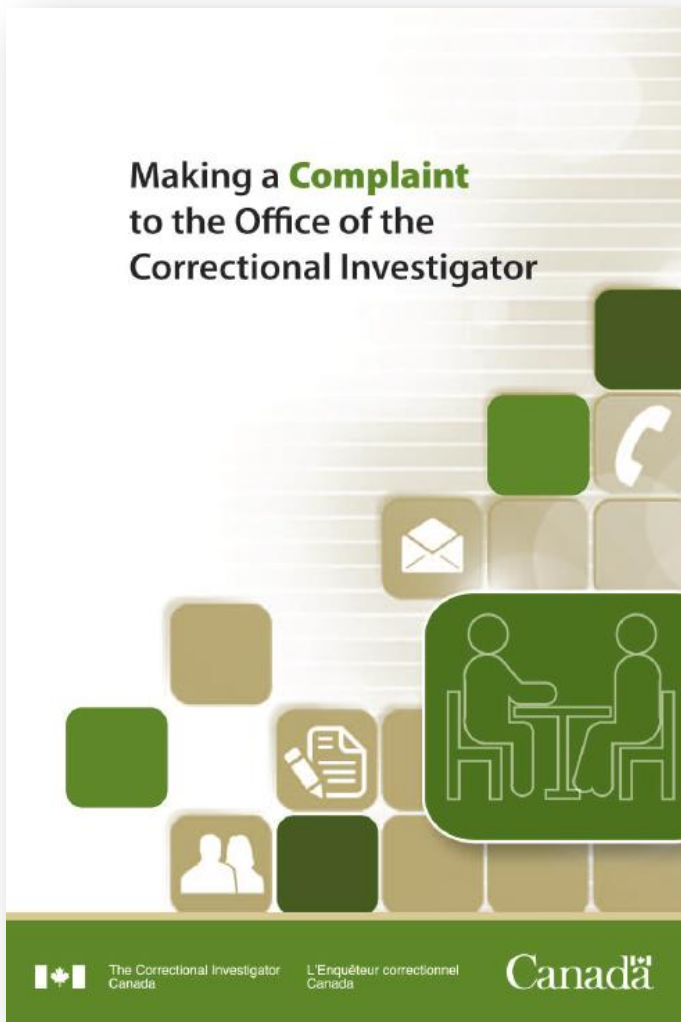
Safe and Timely Reintegration



Federally Sentenced Women



Complaint Resolution



1. Intake and Assessment

Intake staff will receive, assess and prioritize your complaint.

2. Inquiry Stage

Once your complaint has been reviewed, it is assigned to an investigative staff member for follow-up. Normally, the OCI will begin by making contact with CSC officials to see if there is any way to resolve your complaint quickly.

This inquiry will help the OCI determine whether or not the CSC's actions or decisions were fair, appropriate and in compliance with policy and law. If it is determined that the CSC's actions were appropriate, you will be advised in writing and no further action will be taken.

3. Investigation

Where it appears that CSC actions or decisions may have been unfair, inappropriate or not in compliance with policy and law, then we will investigate.

Once the OCI has gathered all the relevant information and completed the investigation, you will be advised in writing of the findings and recommendation(s) (if any) that will be shared with the CSC.



Top 10 Areas of Complaint to the OCI

Total Offender Population

Category	#	%
Health Care	772	11.88%
Conditions of Confinement	733	11.28%
Staff	415	6.38%
Cell Effects	414	6.37%
Transfer	353	5.43%
Administrative Segregation	260	4.00%
Parole Decisions	228	3.51%
Telephone	218	3.35%
Financial Matters	196	3.01%
Grievance	186	2.86%



Opportunities for Cooperation and Collaboration

Participation in Ombudsman organizations

- Member of the Forum of Canadian Ombudsmen (FCO)
- Board of Directors for the International Ombudsman Institute.

Conference Participation

- Speakers,
- Moderators,
- Panellists
- Leaders for workshops

Cross-training and information-sharing with other generalized ombudsman offices

- Sharing best practices
- Strengthening investigative practices, procedures and corporate policies.

Consultation on specific cases with implications across jurisdiction and service provider divides.

- Reduction of gaps and/ or overlap across concurrent investigations
- Strategic communications and consistent messaging

Collaboration on specific investigations

- Input in developing the investigative proposal and methodology to be employed
- Participation and consultation while conducting interviews and engaging in report writing activities
- Coordinated strategic communications

International

- Host delegations
- Expert advice
- Joint projects



Making A Difference

Public Reporting

Legal authority

Access to decision makers

Media and public awareness

Stakeholder engagement

Legal challenges and the courts





“It is said that no one truly knows a nation until one has been inside its jails. A nation should not be judged by how it treats its highest citizens, but its lowest ones.”

- Nelson Mandela

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