

Making a **Complaint** to the Office of the Correctional Investigator



Office of the Correctional Investigator

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Monday – Friday: 8:30 – 16:30 EST

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WHO ARE WE?

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

The Office is completely independent of the CSC and has full access to all of its facilities, records and staff.


All communications with the OCI will be treated in a confidential manner.

WHAT DO WE DO?

The Office investigates federal offender concerns related to the CSC's decisions, recommendations, acts or omissions that affect federal offenders, either as individuals or as a group.

The Office gives timely, accessible, independent review and resolution of offender complaints. When reviewing complaints, we determine whether the CSC has acted fairly, reasonably and in compliance with law and policy.

The Office also conducts investigations into systemic issues of offender concern – for example: access to mental health services, preventable deaths in custody, access to programs, segregation and conditions of confinement.



We do not investigate:

- Any decisions, recommendations, acts or omissions of the Parole Board of Canada;
- Complaints from provincial offenders; or
- Complaints concerning the disciplinary decisions of Independent Chairpersons. (However, the OCI can investigate the process leading up to the decision.)

The Correctional Investigator recommends solutions to offender complaints. We do not have the authority to make the CSC act on our recommendations, but the CSC is required to respond.

WHO CAN MAKE A COMPLAINT?

- Federal offenders (incarcerated or in the community);
- An offender on behalf of another offender; and
- Family and friends on behalf of an offender.

(You are required to submit a written release to designate a family member or any other third party to act on your behalf.)

WHEN CAN YOU MAKE A COMPLAINT?

We encourage you to try to resolve your issues informally or through the internal offender complaints and grievance process of the CSC before contacting our Office. It is best to resolve your complaint at the institutional level.



You can make a complaint to the OCI:

- If there is an emergency (e.g. a serious and urgent matter that could result in immediate harm to you or involves significant legal rights, such as involuntary transfer, inability to access urgent medical care, placement in segregation);
- If you feel that you have been treated unfairly;
- If you feel that you have not received a satisfactory response to your complaint using the CSC’s complaint and grievance process; or
- If you feel the CSC has not complied with the *Corrections and Conditional Release Act* or other applicable laws, regulations or policies.

HOW DO YOU MAKE A COMPLAINT?

By Mail:

Office of the Correctional Investigator
P.O. Box 3421
Station “D”
Ottawa, Ontario
K1P 6L4

By Telephone:

1-877-885-8848 (Toll Free)
Monday-Friday: 8:30 – 16:30 EST
Outside of regular office hours (evenings, weekends, holidays), you can leave a message on our answering machine.



In Person:

During scheduled institutional visits by OCI staff.

ENSURING CONFIDENTIALITY

All communications between offenders and the OCI are confidential, including those taking place over the phone. Conversations cannot be recorded or monitored by the CSC. All written correspondence to and from the OCI must, by law, be delivered unopened.

A person or group cannot be disciplined or punished because they have contacted the Office.

In the course of our work, it may be necessary to disclose information to CSC authorities in order to establish the merit of a complaint, to conduct an investigation or to make findings and recommendations relative to your complaint. Any concerns regarding disclosure or access to personal information should be shared when you make contact with the Office.

YOUR COMPLAINT SHOULD INCLUDE:

- Your name.
- FPS Number.
- Institution or coordinates in the community (telephone number and mailing address).
- A short description of the problem or emergency.
- Steps you have taken to resolve the matter at your institution or in the community.



HOW DO WE RESPOND TO YOUR COMPLAINT?

The Office has full control over decisions to investigate, and how an investigation will be done. Once you make a complaint to our Office, we normally proceed in the following manner:

1. Intake and Assessment

Intake staff will receive, assess and prioritize your complaint. At this initial stage, we may:

- a) Provide you with information about any law and policy that may apply.
- b) Ask you to try other ways to solve your problem.
- c) Ask for more information or clarification.
- d) Request permission to look at your files.
- e) Determine whether your complaint raises concerns that require further action.

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.

An investigation may require many steps, including, but not limited to:

- Contacting you directly to discuss your complaint;
- Requesting access to relevant CSC case records, files and decisions;
- Interviewing involved staff or witnesses;
- Conducting a site visit; and
- Reviewing relevant laws, policies, procedures and guidelines.

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.

The CSC will then decide whether or not it agrees with the recommendation(s). The CSC will explain the steps they will take to respond to the recommendation(s) or, if the CSC does not agree, what they will do instead.

WHEN CAN YOU EXPECT A RESPONSE FROM US?

In all cases, our goal is to resolve your complaint informally, in a timely and transparent manner and at the lowest official level possible through negotiation and discussion. As an independent and impartial investigative organization, we do not take sides and will only take steps if it is determined that a complaint has merit.

- **Intake and Assessment** - If the complaint does not involve an inquiry, you may expect to hear back from us – either in writing, by phone or by visit – within approximately 15 business days.
- **Inquiry** - If the complaint is not satisfactorily resolved at the inquiry stage, you will receive written notification within approximately 30 business days about whether an investigation will be launched.
- **Investigation** – The length of time required to conduct an investigation varies. Typically you may expect to receive written notification of the findings and recommendations of our investigation within 45 business days.

The OCI is committed to resolving offender complaints as quickly as possible. The timelines shown above are the upper limits, and problems may be resolved more quickly. The OCI also ensures that emergency matters are dealt with on a priority basis.



OUR OPERATIONS

The OCI receives between 5,000 and 6,000 complaints every year. Altogether, investigators spend over 300 days per year in federal institutions and conduct about 2,000 interviews and meetings with individual inmates and various offender organizations and committees. Normally, a maximum security penitentiary is visited four times a year, a medium security facility three times a year and a minimum security facility once a year.

The Office has six key priorities that are the focus of ongoing concern:

1. Access to physical and mental health care services
2. Prevention of deaths in custody
3. Conditions of confinement (e.g. segregation, lockdowns, use of force, population management)
4. Aboriginal issues
5. Access to programs (e.g. case preparation, timely release)
6. Issues affecting federally sentenced women

The Office publishes an Annual Report which is tabled in Parliament. The report details the complaints received and highlights systemic concerns and makes recommendations to resolve them.