

**Office of the Correctional
Investigator**

**2004-2005
Estimates**

A Report on Plans and Priorities

Approved

Solicitor General of Canada
(Minister of Public Safety and Emergency Preparedness Canada)

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Section I: Message

A. Correctional Investigator's Message

The Office of the Correctional Investigator (OCI) is mandated as an Ombudsman for federal offenders. An effective oversight agency for correctional operations is accepted by Canadians as an essential element of an open and accountable criminal justice process. The strategic outcome expected by Canadians is a Federal correctional system that is fair, safe, humane and equitable. The focus of OCI operations is directed towards the promotion of that outcome.

The independent oversight of corrections encompasses more than the investigation of complaints and the filing of reports. The Office's effectiveness centres on its ability to maintain a responsive investigative process and the impact of its findings and recommendations on fostering positive change. On both counts significant progress has been achieved.

We have now essentially implemented our first Corporate Strategic Plan. The OCI's priorities, organizational matrix and operations have been realigned to ensure our mandate is carried out with optimal efficiency and effectiveness. Also realized through this change process has been a significant improvement in our agency's capacity to respond to emerging issues and its readiness to explore new strategic directions.

The OCI's governance will be anchored by a well-structured Management Accountability Framework and directed by the highest ethical standards of public service.

Accordingly, the OCI will remain dedicated to achieving excellence vis-à-vis its strategic outcome and to report on its performance in a concise and understandable way to elected officials and to Canadians. We will be guided in all we do by a clear set of values, which respect and reinforce Canadian institutions of democracy. The OCI will further demonstrate discipline and prudence in all fiscal matters, by engaging in sound risk management, rigorous stewardship, clear accountabilities and responsible spending.

The Office of the Correctional Investigator is committed to being a responsive and well managed federal organization, offering citizen focused services. We will continue to work in collaboration with other levels of government and with the private and not-for-profit sectors to assist in ensuring that Canadians maintain confidence in their criminal justice system.

Howard Sapers
Correctional Investigator

B. Management Representation Statement

Management Representation Statement

I submit, for tabling in Parliament, the 2004-2005 Report on Plans and Priorities

Office of the Correctional Investigator

This document has been prepared based on the reporting principles and disclosure requirements contained in the *Guide to the preparation of the 2004-2005 Report on Plans and Priorities*.

- It accurately portrays the organisation's plans and priorities.
- The planned spending information in this document is consistent with the directions provided in the Minister of Finance's Budget and by TBS.
- Is comprehensive and accurate.
- Is based on sound underlying departmental information and management systems.

The reporting structure on which this document is based has been approved by Treasury Board Ministers and is the basis for accountability for the results achieved with the resources and authorities provided.

Name: _____

Title: _____

Date: _____

Section II: Raison D'être

The Office of the Correctional Investigator provides Canadians with timely independent, thorough and objective monitoring of their federal correctional system, to ensure that it remains fair, equitable, humane, reasonable and effective.

Section III: Planning Overview

The Office of the Correctional Investigator (OCI) is largely funded through operating expenditures and we have the authority to spend revenue received during the year.

The OCI has now essentially satisfied all the action commitments outlined in the Corporate Strategic Plan it had formally adopted in January 2002. Accordingly, managerial focus will reside on the consolidation of progress achieved at the administrative level, notably in the management of human resources, and at the operational level, in the implementation our Integrated Planning Framework.

Consistently with the OCI's Logic Model and in response to the systemic problems still plaguing the correctional treatment offered to them, the issues of Federally Sentenced Women and Aboriginal Offenders will remain a priority for the OCI. Confronted by an increasing demand for our services, we will continue to optimize the frequency of institutional visits. Also still prioritized will the timely review and follow-up of investigations conducted under Section 19 of the Corrections and Conditional Release Act (CCRA) and of Use of Force videotapes.

Finally, the OCI remains acutely aware that its ability to provide results for Canadians is linked to the level and quality of its participation as a partner in the criminal justice system. Accordingly, it will pursue its efforts to maintain a positive and productive working relationship with the Correctional Service. The OCI will also actively promote an agenda of communication and cooperation among its other partners and stakeholders in the field of corrections.

Section IV: Plans and Priorities by Strategic Outcome

A - Summary

<u>Strategic Outcome</u>	<u>Priorities</u>
<ul style="list-style-type: none"> • Responsible, humane, fair and effective corrections. 	<ul style="list-style-type: none"> • Optimal frequency of institutional visits. • Specialized services to Federally Sentenced Women (FSW) and Aboriginal Offenders. • Timely review and follow-up of S.19 investigations and Use of Force videotapes.

B - Details

The primary strategic outcome of the OCI remains the provision to Canadians of an independent review agency to investigate the problems of federal offenders related to decisions, recommendations, acts or omissions of the Correctional Service of Canada (CSC). Section 19 of its enabling legislation, the *Corrections and Conditional Release Act* (CCRA) also requires that it reviews of all CSC Investigations convened following the death of or serious bodily injury to an inmate. The OCI is also engaged in similar monitoring of all interventions by Institutional Emergency Response Teams (IERT'S), in keeping with the recommendations of the Arbour Commission.

The maintaining of an independent and objective review process within a correctional environment where the office has virtually no control over either the number of complaints or the extent of investigations required presents a number of unique challenges. First, the resolution of disputes in an environment traditionally closed to public scrutiny with an understandably high level of mistrust between correctional officials and inmates, requires that the Office not only be, but be seen to be independent of both the Correctional Service and the Ministry. Second, given that the authority of the Office rests with its power of persuasion and public reporting rather than enforceable recommendations, it is imperative that appropriate administrative and political mechanisms be available to ensure that reasonable, fair, timely, equitable and humane action is taken on the findings made by the OCI.

In recent years, changes to the regulatory and legislative environment have forced the OCI to dramatically expand its services. The Arbour Commission of Inquiry (1996) noted that the statutory mandate of the OCI should continue to be supported and facilitated because only the OCI is in the "unique position both to assist in the resolution

of individual problems, and to comment publicly on the systemic shortcomings of the Services."

In 1997, the Auditor General noted that one of the factors creating difficulty at that time, was the overall size of the workload. Indeed since that time the OCI has implemented the recommendations of the Auditor General to address those workload issues, including working with the Correctional Service to improve the inmate grievance procedure and to provide an improved policy and procedure manual to investigators. The Auditor General noted as well, however, that the demand for services remains elevated, incessant and that both the overall volume and complexity of issues continues to increase.

In 2000, the Sub-committee on the *Corrections and Conditional Release Act* of the Standing Committee on Justice and Human Rights, recommended that the budget of the OCI be "increased in order to expand the number of investigators and [to] cover directly related expenses such as office equipment, communications and travel required to conduct investigations".

The OCI does not foresee any diminution or decline in either the overall demand for services or in the complexity of the issues the OCI is called upon to address. The environment in which the OCI is called upon to provide "Results for Canadians" continues to be extremely challenging and one in which innovative and dedicated service provision is essential to moving ahead.

To respond to these pressures, the OCI formally adopted its first Corporate Strategic Plan in January 2002 and identified therein the three operational priorities presented above.

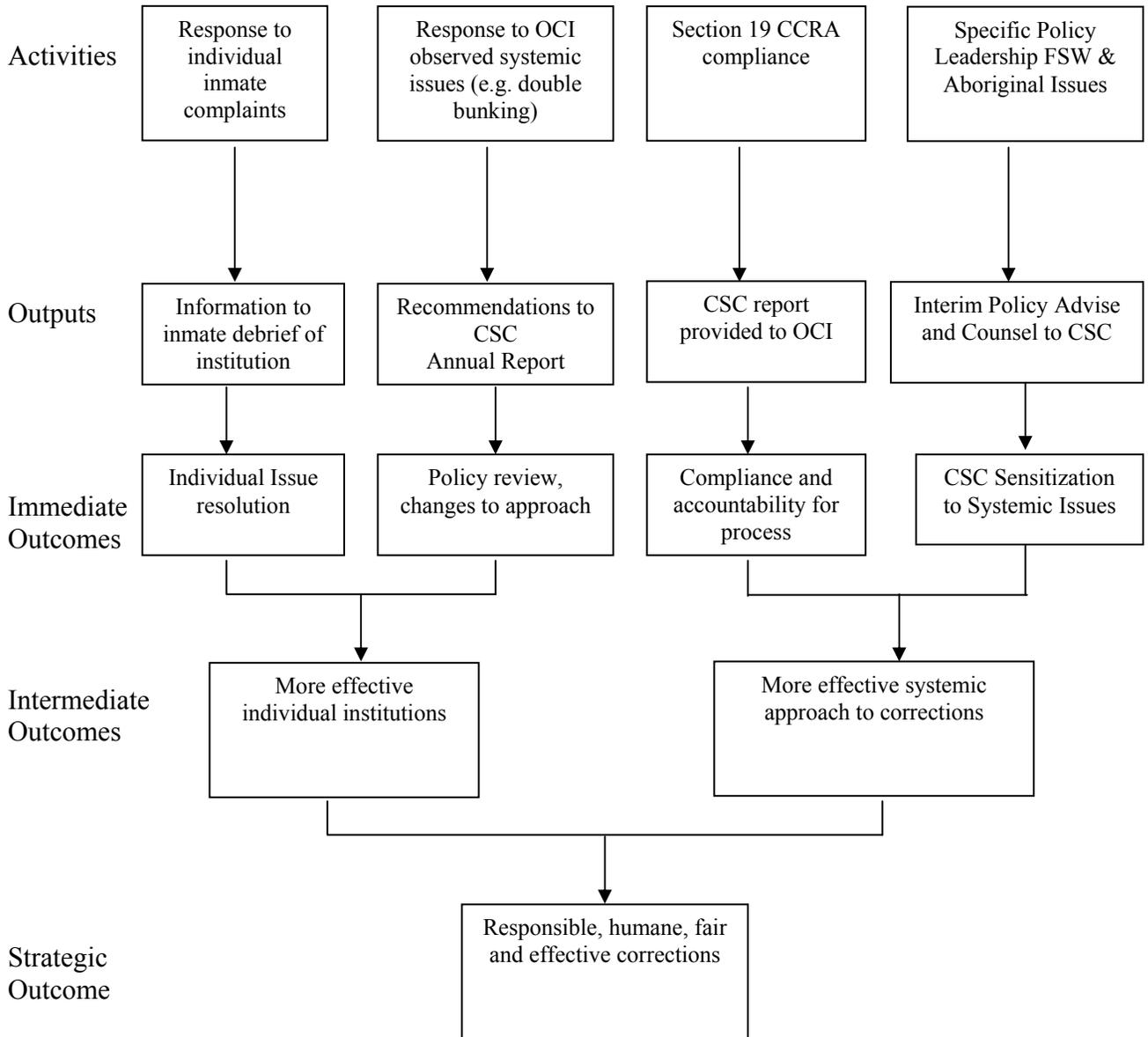
While these remain current, the continuous environmental scanning required to implement the OCI's Integrated Planning Framework has yielded a number of emerging issues.

As outlined in our 2002-2003 Annual Report to Parliament, the OCI will also be concerned, as resources allow, with the correctional treatment offered to particular segments of the federal offender population (young and elderly offenders, offenders with mental health issues, inmates housed in maximum security institutions), the independent review/adjudication of administrative segregation, the adoption and implementation of harm reduction strategies by the Correctional Service in the area of infectious diseases, the use of security information in decision-making affecting offenders, the use of ION Scanners, the ownership and use by inmate of computers, and inmates' access to Counsel.

The Logic Model presented below sets out just how the OCI views how it delivers the services necessary to support its mandate and deliver on its commitment to the strategic outcome of responsible, humane, fair and effective corrections.

The logic model identifies the linkages between the activities of the OCI program and the achievement of its outcomes. It clarifies the activities that make up its program and the sequence of outcomes expected to result from these activities.

Exhibit 4.1 – OCI Logic Model



Of legitimate interest to elected officials and Canadians is how the OCI has previously allocated resources and how it plans to do so to respond to the foreseeable demands in upcoming fiscal years. Set out below are spending profiles, consistent with the major activities identified in the OCI Logic Model (exhibit 4.1 above.)

**Exhibit 4.2 - Spending Profile by Activity including Program Integrity Resources
for fiscal years 2000-2001 to 2004-2005 (and ongoing)**

	2001-2002	2002-2003	2003-2004	2004-2005
	Total Authorities	Total Authorities	Total Authorities	Main Estimates
	2,657	2,849	2,685	2,573
	Actual Spending	Actual Spending	Planned Spending	Planned Spending
	2,516	2,732	2,685	2,573

Individual Inmate Complaint Resolution (i.e. Visits, Cell Effects)

Salary	878	800	780	740
O&M	240	560	540	455
Total	1,298	1,360	1,320	1,195

OCI Systemic and Emerging Issues (e.g. Double Bunking, Young and Elderly Offenders)

Salary	175 (1)	240 (1)	260 (1)	340 (1)
O&M	40	80	90	80
Total	215	320	350	420

Mandated Issues (Section 19 (CCRA) Investigations, Use of Force)

Salary	200	290 (2)	240 (2)	200 (2)
O&M	40	47	40	30
Total	240	337	280	230

Specific Policy Leadership (Aboriginal Offenders, Federally Sentenced Women)

Salary	150	175	226	226
O&M	26	60	90	80
Total	176	235	316	306

Corporate Services

Salary	375	375	300	300
O&M	212	105	119	107
Total	587	480	419	407

Total Salary	1,778	1,880	1,806	1,806
Total O&M	738	852	879	752
Grand Total	2,516	2,732	2,685	2,573

(1) Pattern of increasing expenditures reflects the OCI's gradual adoption of a more systemic approach to problem resolution and its improving responsiveness to emerging issues.

(2) Downward trend reflects the OCI's success in dealing with the backlog of cases and reduce activity costs, through streamlined and more efficient review procedures.

As stated above, the OCI is committed to being a well managed federal organization. Abiding by such a commitment requires rigorous operational planning, fact-based priority setting, clear accountabilities, timely, thorough and reliable performance review and reporting. Accordingly, the OCI has included performance measurement and evaluation strategies, and accountability and reporting mechanisms in its Integrated Planning Framework (Exhibit 4.3, below). Its ongoing implementation at the operational level has already provided the OCI with a very precise barometer of its success vis-à-vis its Logic Model. The evaluation strategy requires indeed the OCI to take, at regular interval, an in-depth look at how its program is doing. The primary consideration remains improvements that facilitate the achievement of results for Canadians.

Exhibit 4.3 - OCI Integrated Planning Framework

Corporate Objectives	Performance Indicators	Evaluation Strategy	Accountability and Reporting Mechanisms
1. Accessible, Independent Coordinated and Responsive Investigative Process, focused on both Individual and systemic offender concerns	A. Number of visits/ per institution	<ul style="list-style-type: none"> - Analysis by Directors/ Coordinators of Management information, including: <ul style="list-style-type: none"> ➢ the yield of performance measurement strategy (as outlined for performance indicators A-N) ➢ other DATIS Reports (as required) ➢ debriefing letters and other letters to/from CSC 	<ul style="list-style-type: none"> - <u>Internal</u> <ul style="list-style-type: none"> ➢ Pre and post visit meetings between Directors and Investigators ➢ Reports (semi-annual) from Directors and Coordinators ➢ DATIS "Regular" and "Follow-up" Audits ➢ On going and documented (agenda and minutes) review by OCI Management and Policy Committees
Level of Effort / Resources	Performance Measurement Strategy		
Directors of Investigations, Coordinators, Senior Investigators, Investigators	<p>A. <u>Method/Source</u>: Review of post-visit stats gathered by Corporate Services</p> <p><u>Frequency</u>: Quarterly</p> <p><u>Purpose</u>: To determine if # of visits/per institution meets standard (frequency).</p> <p><u>Responsibility</u>: Director of Investigations</p>		
	Performance Indicators		
	B. Number of Interviews	<ul style="list-style-type: none"> ➢ Project Progress Reports (Counsel/Senior Policy Advisor) ➢ Inventory of legal and policy documents ➢ Minutes of OCI Management and Policy Committees ➢ Reports, findings and recommendations submitted to CSC RDC's and NHQ management, to the Minister and Parliament and responses thereto 	<ul style="list-style-type: none"> - <u>External</u> - <u>Treasury Board</u>
	<p>B. <u>Method/Source</u>: Review of post-visit stats gathered by Corporate Services</p> <p><u>Frequency</u>: Quarterly</p> <p><u>Purpose</u>: A multi-purpose indicator. Valuable in terms of gauging accessibility of OCI, enabling a fact-based cost-advantage-analysis of institutional visit frequency standards etc.</p>	<ul style="list-style-type: none"> ➢ All other information deemed relevant and useful 	<ul style="list-style-type: none"> ➢ Departmental Performance Report (DPR) ➢ Plans and Priorities Report (RPP) ➢ Annual Status Report - Implementation of the OCI Corporate Strategic Plan. - <u>Parliament</u> ➢ OCI Annual Report

Corporate Objectives	Performance Indicators	Evaluation Strategy	Accountability and Reporting Mechanisms
	C. Number of offender group meetings	- Sharing of analysis results with investigators	
	Performance Measurement Strategy	<ul style="list-style-type: none"> ➤ On a quarterly basis, each unit (Director of Investigations, Investigators, and Coordinators) gather for a Strategic Planning Meeting (SPM) Coordinators participate in SPM of both units. Counsel/Senior Policy Advisor participates as required, and upon request of the Director of Investigations ➤ Purpose of the meeting is to review and propose amendments to Corporate Strategic Plan. 	
	<p>C. <u>Method/Source</u>: Review of post-visit stats gathered by Corporate Services</p> <p><u>Frequency</u>: Quarterly</p> <p><u>Purpose</u>: To determine if offender groups are met as per standard (Frequency).</p> <p><u>Responsibility</u>: Director of Investigations</p>		
	Performance Indicators		
	D. Institutional profiles based on "areas of concern" data		
	Performance Measurement Strategy		
	<p>D. <u>Method Source</u>: Review institutional profiles and "areas of concern" data</p> <p><u>Frequency</u>: Quarterly</p> <p><u>Purpose</u>: To determine if profiles are created/updated as per standard (frequency) and are based on data re: "areas of concern" which is complete and updated as per standard (frequency).</p> <p><u>Responsibility</u>: Director of Investigator</p>		

Corporate Objectives	Performance Indicators	Evaluation Strategy	Accountability and Reporting Mechanisms
	E. Number of contacts in "areas of concern"		
	Performance Measurement Strategy		
	<p>E. <u>Method/Source</u>: Review of DATIS Report on # contacts in "areas of concern"</p> <p><u>Frequency</u>: Quarterly</p> <p><u>Purpose</u>: To determine OCI effectiveness in "areas of concern". (Anticipated outcome is a gradual decrease in # contacts).</p> <p><u>Responsibility</u>: Director of Investigations</p>		
	Performance Indicators		
	<p>F. Number of OCI recommendations</p> <p>G. Level of OCI recommendations</p> <p>H. Impact of OCI recommendations</p>		
	Performance Measurement Strategy		
	<p>F. G. H.</p> <p><u>Method/Source</u>: Review of DATIS Report on Recommendations</p> <p><u>Frequency</u>: Quarterly</p> <p><u>Purpose</u>: Multi-purpose indicators. Valuable notably to determine OCI effectiveness in addressing/resolving offender concerns. Provides fact-based rationale to adjust OCI strategy vis-à-vis CSC.</p>		

Corporate Objectives	Performance Measurement Strategy	Evaluation Strategy	Accountability and Reporting Mechanisms
	<p data-bbox="513 249 802 308"><u>Responsibility:</u> Director of Investigations</p> <p data-bbox="513 338 789 367">Performance Indicators</p> <p data-bbox="513 401 779 489">I. Delay between date of contact and date of disposition</p> <p data-bbox="513 522 776 581">Performance Measurement Strategy</p> <p data-bbox="513 590 799 678">I. <u>Method/Source:</u> Review of DATIS Report on responsiveness</p> <p data-bbox="513 707 743 737"><u>Frequency:</u> Quarterly</p> <p data-bbox="513 770 789 1161"><u>Purpose:</u> To determine overall OCI responsiveness, but also differences in level of effectiveness between regions, "areas of concern" and other issues of particular interest, institutions of same security level etc. Analysis to assist in discovering/sharing of best practices etc.</p> <p data-bbox="513 1194 773 1253"><u>Responsibility:</u> Director of Investigations</p> <p data-bbox="513 1287 789 1316">Performance Indicators</p> <p data-bbox="513 1346 711 1375">J. OCI BF System</p> <p data-bbox="513 1409 776 1467">Performance Measurement Strategy</p> <p data-bbox="513 1476 799 1522">J. <u>Method/Source:</u> Review of DATIS BF Printout</p> <p data-bbox="513 1556 743 1585"><u>Frequency:</u> Quarterly</p> <p data-bbox="513 1619 789 1883"><u>Purpose:</u> To determine if BF System is used and maintained as per standard. Safeguard against "cases falling through the cracks". Provides other information base to gauge OCI Responsiveness.</p>		

Corporate Objectives	Performance Measurement Strategy	Evaluation Strategy	Accountability and Reporting Mechanisms
<p>2. Respond to individual and systemic "areas of concern" raised by Women Offenders in a coordinated and timely fashion.</p> <p>3. Respond to individual and systemic concerns raised by Aboriginal Offenders in a coordinated and timely fashion.</p>	<p><u>Responsibility:</u> Director of Investigations</p>	<p>Same as for Corporate Objective #1, as it applies to FSW Institution. Annual Plan on FSW/Aboriginal issues become part of the Corporate Operational Plan and are thus reviewed (amended on a quarterly basis if necessary)</p>	<p>- <u>Internal</u></p> <ul style="list-style-type: none"> ➢ Semi-Annual Report by Coordinators of FSW/Aboriginal Issues ➢ Pre and post visit meetings between Directors and Investigators ➢ DATIS "Regular" and "Follow-up" Audits ➢ On-going and documented (agenda and minutes) review by OCI Management and Policy Committees
	<p>Performance Indicators</p> <p>Same as for Corporate Objective #1 A to N as it applies to FSW Institutions/ Aboriginal Offenders. Coordinators, FSW/Aboriginal Issues share responsibility with Director of Investigations.</p>		
<p>Level of Effort / Resources</p>	<p>Performance Measurement Strategy</p>		<p>- <u>External</u></p> <p>- <u>Treasury Board</u></p> <ul style="list-style-type: none"> ➢ Departmental Performance Report (DPR) ➢ Plans and Priorities Report (RPP) ➢ Annual Status Report - Implementation of the OCI Corporate Strategic Plan. <p>- <u>Parliament</u></p> <ul style="list-style-type: none"> ➢ OCI Annual Report
<p>1 Coordinator, FSW Issues</p> <p>1 Coordinator, Aboriginal Issues</p>	<p>Same as for Corporate Objective #1 A to N as it applies to FSW Institutions/Aboriginal Offenders</p>		

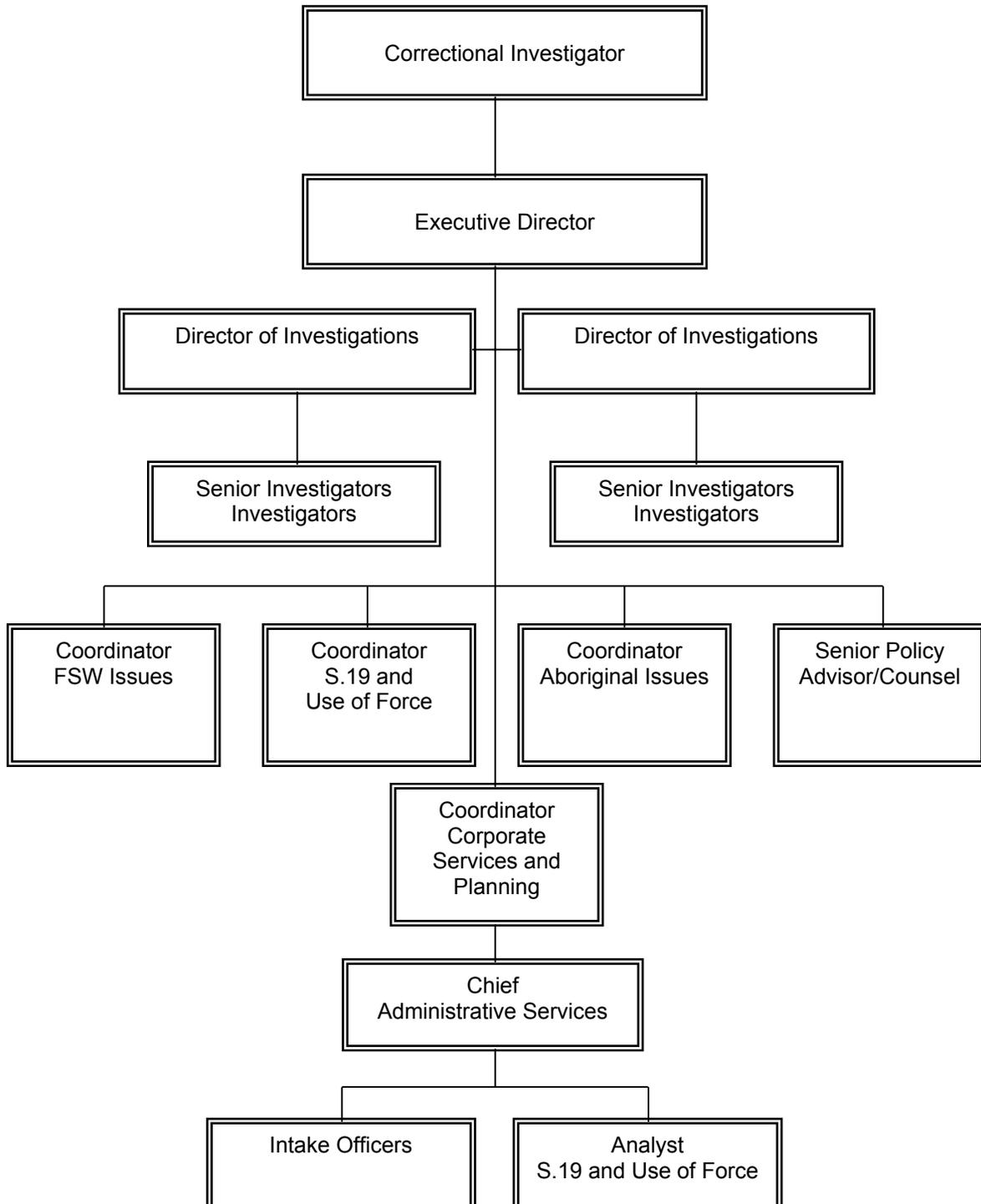
Corporate Objectives	Performance Indicators	Evaluation Strategy	Accountability and Reporting Mechanisms
4. Timely Review and follow-up of S.19 Investigations (death, serious injury and Use of Force incidents)	K. Delay between receipt of Use of Force Reports/S.19 Investigations and OCI Review (follow-up where required)	Same as for Corporate Objective #1, as it applies to S.19 Investigations (death, serious injury and Use of Force incidents). Annual plan on S.19 Investigations becomes part of the Corporate Operational Plan and is thus reviewed and amended (if necessary) on a quarterly basis.	<ul style="list-style-type: none"> - <u>Internal</u> ➤ Semi-Annual Report by Coordinator, S.19 Investigations. ➤ Pre and post visit meetings between Directors and Investigators ➤ DATIS "Regular" and "Follow-up" Audits ➤ On going and documented (agenda and minutes) review by OCI Management and Policy Committees - <u>External</u> - <u>Treasury Board</u> ➤ Departmental Performance Report (DPR) ➤ Plans and Priorities Report (PRR) ➤ Annual Status Report - Implementation of the OCI Corporate Strategic Plan. - <u>Parliament</u> ➤ OCI Annual Report
Level of Effort / Resources	Performance Measurement Strategy		
1 Coordinator, S.19 and Use of Force 1 Analyst, S.19 and Use of Force	<p>K. <u>Method/Source</u>: Review of Use of Force/S.19 Investigations log printout</p> <p><u>Frequency</u>: Quarterly</p> <p><u>Purpose</u>: To determine if OCI review of Use of Force Report and S.19 Investigations review as per standards (timeliness).</p> <p><u>Responsibility</u>: Executive Director</p>		
	Performance Indicators		
	L. # of OCI Recommendation M. Level of OCI Recommendations N. Impact of OCI Recommendations		
	Performance Measurement Strategy		
	<p>L. M. N. <u>Method/Source</u>: Review of statistical information gathered by Coordinator S.19 and Use of Force, correspondence to/from CSC in this area</p> <p><u>Frequency</u>: Quarterly</p> <p><u>Purpose</u>: Multi purpose indicators valuable, notably to determine effectiveness of OCI follow-up. Provides fact based rationale approach to adjust OCI strategy vis-à-vis CSC.</p>		

Corporate Objectives	Performance Measurement Strategy	Evaluation Strategy	Accountability and Reporting Mechanisms
	<u>Responsibility</u> : Shared responsibility between Executive Director, Director of Investigators and Coordinator S.19/Use of Force.		

Section V: Organization

A - Organization Chart

Exhibit 5.1 - OCI Organization



B. Agency Planned Spending

Exhibit 5.2 Agency Planned Spending

The net cost of the OCI program is, at the present time, expected to remain relatively stable over the next three fiscal years. A potential source of increase resides in the OCI's ongoing quest for the additional resources required to offer specialized focus on elderly offenders and young offenders as well as follow-up on the issues associated with Aboriginal Corrections.

(\$ thousands)	Forecast Spending 2003-2004	Planned Spending 2004-2005	Planned Spending 2005-2006	Planned Spending 2006-2007
Budgetary Main Estimates (gross)	2,922	2,946	2,946	2,946
Non-Budgetary Main Estimates (gross)	-	-	-	-
Less Respendable revenue	-	-	-	-
Total Main Estimates	2,922	2,946	2,946	2,946
Adjustments**	122	-	-	-
Net Planned Spending	3,044	2,946	2,946	2,946
Less: Non-Respendable revenue	-	-	-	-
Plus: Cost of services received without charge	256	258	258	258
Net cost of Program	3,300	3,204	3,204	3,204
Full Time Equivalents	27	27	27	27

* Reflects the best forecast of total net planned spending to the end of the fiscal year.

** Adjustments are to accommodate approvals obtained since the Main Estimates and are to include Budget initiatives Supplementary Estimates etc.

Section VI: Annexes

A. Financial Information

Exhibit 6.1 Net Cost of Program for the Estimates Year

(\$thousands)	Office of the Correctional Investigator	Total
	2,946	2,946
Plus: Services Received without Charge Accommodation Provided by Public Works and Government Services Canada (PWGSC)	258	258
Contributions covering employer's share of employee's Insurance premiums and expenditures paid by TBS	-	-
Worker's compensation coverage provided by Human Resources Canada	-	-
Salary and associated expenditures of legal services Provided by Justice Canada	-	-
Less: Non-respendable Revenue	-	-
2004-2005 Net Program Cost (Total Planned Spending)	3,204	3,204

B. Other Information

Website: <http://www.oci-bec.gc.ca>

Email: org@oci-bec.gc.ca

Statutes and Regulations

Corrections and Conditional Release Act, Part III

Reports

- Correctional Investigator's Annual Report 2002-2003
(<http://www.oci-bec.gc.ca>)
- Auditor General's Report, chapter 33, December 1997
(<http://www.oag-bvg.gc.ca>)
- Auditor General's Report, Chapter 32, November 1999
(<http://www.oag-bvg.gc.ca>)

C. References

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