

# Chapter 15

## Corrections, Policing and Public Safety—Inmate Segregation

### 1.0 MAIN POINTS

The Ministry of Corrections, Policing and Public Safety provides inmate care, control, and supervision for inmates at all four provincial correctional centres, which includes placing inmates on administrative segregation. Administrative segregation is used in correctional centres to keep an inmate away from the general population for safety or security reasons.

By August 2024, the Ministry implemented five of the seven recommendations we first made in 2022.

The Ministry implemented regular refresher training (i.e., every three years) for correctional centre staff about administrative segregation. We found the training included all requirements of the Ministry's Administrative Segregation Policy and key legislative requirements. Since the new training's implementation, we found appropriate correctional centre staff began properly authorizing administrative segregation placement decisions and quality assurance results improved.

Correctional centre staff improved in documenting daily reviews when placing inmates on administrative segregation. However, we found staff did not complete all daily reviews where required for three of five inmates tested. Not completing the daily activity reviews could result in Correctional Facility Managers missing key pieces of information when deciding to continue an inmate on administrative segregation.

The Ministry improved its quality assurance reviews to include all key information. We found the Ministry communicated deficiencies identified during quality assurance reviews to correctional centre staff. Informing correctional centre staff of deficiencies identified during quality assurance reviews allows staff to correct deficiencies going forward, reducing the risk of continued non-compliance with policies.

Finally, the Ministry began the process of revising its legislation to allow independent adjudicators to review inmate appeals.

Effective processes to administratively segregate inmates contribute to the safety and wellbeing of inmates, staff, and the public.

### 2.0 INTRODUCTION

#### 2.1 Background

Under *The Correctional Services Act, 2012*, the Ministry of Corrections, Policing and Public Safety is responsible for processes to administratively segregate inmates in its adult secure-custody correctional centres.<sup>1</sup>

<sup>1</sup> *The Correctional Services Act, 2012*, s. 4(2).



The Ministry uses its adult secure-custody correctional centres to restrict and monitor the movements and activities of inmates, while supporting the delivery of rehabilitation programs. Saskatchewan's four adult secure-custody correctional centres are:

- Prince Albert Correctional Centre
- Regina Correctional Centre
- Saskatoon Correctional Centre
- Pine Grove Correctional Centre (for women)

Administrative segregation is a status within a correctional centre (i.e., not a designated location or security rating). It is a temporary, non-punitive measure that does not include disciplinary segregation or temporary confinement pending a disciplinary hearing.<sup>2</sup>

The Ministry uses administrative segregation as a last resort to contribute to the safety of inmates, staff, and the public, and to assist in maintaining the security of a correctional centre. For example, inmates may be placed on administrative segregation for situations such as violence, aggressive behaviour, disruptive or non-compliant behaviour, or at an inmate's request for their own safety.

## 2.2 Focus of Follow-Up Audit

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This chapter describes our first follow-up audit of management's actions on the recommendations we made in 2022.

We concluded the Ministry of Corrections, Policing and Public Safety had, other than in the areas of our seven recommendations, effective processes to administratively segregate inmates in its adult secure-custody correctional centres for the 12-month period ended May 31, 2022.<sup>3</sup>

To conduct this audit engagement, we followed the standards for assurance engagements published in the *CPA Canada Handbook—Assurance* (CSAE 3001). To evaluate the Ministry's progress toward meeting our recommendations, we used the relevant criteria from the original audit. Ministry management agreed with the criteria in the original audit.

To carry out our follow-up audit, we tested a sample of files for inmates subject to administrative segregation to ensure corrections staff documented relevant information in accordance with its administrative segregation policy. We also examined evidence of training provided to staff and reviewed information reported to senior management and the public about inmate administrative segregation statistics.

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<sup>2</sup> The Ministry of Corrections, Policing and Public Safety, *Policy No. 405—Administrative Segregation*, p. 1.

<sup>3</sup> *2022 Report – Volume 2, Chapter 8*, pp. 55–73.

## 3.0 STATUS OF RECOMMENDATIONS

This section sets out each recommendation including the date on which the Standing Committee on Public Accounts agreed to the recommendation, the status of the recommendation at August 31, 2024, and the Ministry of Corrections, Policing and Public Safety's actions up to that date.

### 3.1 Training Plan Related to Administrative Segregation Established

***We recommended the Ministry of Corrections, Policing and Public Safety develop a training plan to regularly provide refresher training to correctional centre staff involved in administrative segregation.*** (2022 Report – Volume 2, p. 60, Recommendation 1; Public Accounts Committee agreement February 26, 2024)

**Status**—Implemented

In November 2023, the Ministry of Corrections, Policing and Public Safety implemented a training plan to regularly (i.e., every three years) provide refresher training to staff involved in administrative segregation.

Upon hiring, the Ministry provides all new correctional centre staff (e.g., managers, correctional officers, nurses) 11 weeks of training, which includes a module on administrative segregation. The Ministry now requires staff to take refresher training every three years.

We reviewed the content of the online learning modules released in November 2023 and found it consistent with the Ministry's Administrative Segregation Policy and relevant legislative requirements.

Directors at each correctional centre track who has taken the training sessions and send status updates weekly to Ministry staff. At July 2024, training completion rates reported to the Ministry were:

- 92% of full-time correctional officers
- 93% of full-time nurses
- 100% of permanent correctional centre management

Providing regular refresher training to those involved in administrative segregation processes reduces the risk of inappropriately placing inmates on administrative segregation, which reduces the potential impact on inmate health and wellbeing.



## 3.2 Placement Decisions Properly Authorized

***We recommended the Ministry of Corrections, Policing and Public Safety have appropriate correctional centre staff authorize administrative segregation placement decisions.*** (2022 Report – Volume 2, p. 62, Recommendation 2; Public Accounts Committee agreement February 26, 2024)

**Status**—Implemented

The Ministry of Corrections, Policing and Public Safety properly completed assessments and approved decisions for inmates placed on administrative segregation.

Designated correctional centre staff may order an inmate placed on administrative segregation if there are reasonable grounds as defined by *The Correctional Services Act, 2012* (see **Figure 1**).

**Figure 1—Reasonable Grounds for Administrative Segregation as Defined by Legislation**

- Inmate has acted, has attempted to act, or intends to act in a manner that jeopardizes the security of the correctional centre or the safety of inmates, staff or the public AND the continued presence of the inmate in the general inmate population would jeopardize the security of the correctional centre or the safety of inmates, staff, or the public
- The continued presence of the inmate in the general inmate population would interfere with an investigation that could lead to a criminal charge or a charge of a major disciplinary offence
- The inmate's continued presence in the general population would jeopardize the inmate's own safety

Source: Adapted from the Ministry of Corrections, Policing and Public Safety's Administrative Segregation Policy.

The Ministry requires correctional centre managers to complete an assessment prior to placing an inmate on administrative segregation or within 24 hours of placement.

The assessment guides staff through a series of questions to determine whether an inmate's placement on administrative segregation is justified. The assessment includes:

- Reason for assessment (e.g., initial placement or review of placement, legislative reason)
- Establishing the facts (e.g., behaviour witnessed by staff and/or reported by multiple sources)
- Risk assessment (e.g., severity of threat that could materialize if an inmate is not placed on administrative segregation)
- Consideration of alternatives (e.g., informal resolution, behavioural management contract, unit transfer, facility transfer)

Of the five inmates placed on administrative segregation between April 2023 to July 2024, all were appropriately approved by Correctional Facility Managers. Additionally, in all five cases, staff used the Administrative Segregation Assessment Tool, and completed initial placement forms.

Having appropriate staff completing and approving administrative segregation placement decisions decreases the risk of inappropriately placing inmates on administrative segregation.

### 3.3 Daily Reviews Not Always Completed

***We recommended the Ministry of Corrections, Policing and Public Safety follow its policy requirements (i.e., reviews, healthcare assessments) for inmates placed on administrative segregation. (2022 Report – Volume 2, p. 63, Recommendation 3; Public Accounts Committee agreement February 26, 2024)***

**Status**—Partially Implemented

Correctional centre staff do not always complete daily administrative segregation reviews, but do complete healthcare assessments as required by the Administrative Segregation Policy.

The Ministry of Corrections, Policing and Public Safety set specific requirements for various reviews and assessments in its Administrative Segregation Policy. **Figure 2** outlines the policy's established requirements.

**Figure 2—Administrative Segregation Reviews and Assessments**

Review/Assessment	Description
Initial placement review (i.e., 2-day review)	Once an inmate is placed on administrative segregation, the Ministry requires correctional centre managers to conduct a 2-day review to assess whether the placement was justified.
Healthcare assessments	As part of the initial placement and 14-day review, nurses are to complete, and correctional centre managers are required to review, a current healthcare assessment. Nurses complete these assessments to evaluate the inmate's mental and physical ability to cope with administrative segregation and identify risk factors that may present concerns (i.e., suicidal ideations).
Daily reviews	The Ministry requires correctional centre staff to meet daily with inmates placed on administrative segregation and document discussions with inmates on reasonable alternatives to administrative segregation, document the inmate's daily activities (e.g., time out of cell, exercise, phone calls, programming), and monitor for any physical or mental health changes.
Long-term reviews (i.e., 7-day and 14-day)	The Ministry expects correctional centre staff to complete a new justification assessment for the inmate to remain on administrative segregation, review updated healthcare assessments performed by nurses, discuss placement with the inmate, and discuss whether any reasonable alternatives are now feasible and whether the inmate should remain on administrative segregation.

Source: Adapted from the Ministry of Corrections, Policing and Public Safety's Administrative Segregation Policy.

For the five inmate files we tested, we found three instances where some daily reviews were not completed and documented by correctional centre staff. Staff performed all other reviews and assessments in compliance with the Administrative Segregation Policy.

Not completing the daily activity reviews could result in Correctional Facility Managers missing key pieces of information when deciding to continue an inmate on administrative segregation.



### 3.4 Appeals Not Independently Reviewed Yet

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***We recommended the Ministry of Corrections, Policing and Public Safety have appeals by inmates placed on administrative segregation reviewed by independent adjudicators.*** (2022 Report – Volume 2, p. 9, Recommendation 4; Public Accounts Committee agreement February 26, 2024)

**Status**—Not Implemented

The Ministry of Corrections, Policing and Public Safety maintains an appeal process for inmates placed on administrative segregation; however, it needs to amend its legislation to allow an independent adjudicator to make appeal decisions.

Inmates placed on administrative segregation can appeal their placement decision. Correctional centre staff are required to provide a decision on an appeal within five business days.

Good practice recommends an independent adjudicator (e.g., Ministry staff, staff at another correctional centre), external to the correctional centre, make the appeal decision. The Ministry indicated it is working on having its legislation amended.

Having an independent adjudicator make appeal decisions helps to ensure fair oversight and reduces the risk of biased decisions.

### 3.5 Quality Assurance Process Improved

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***We recommended the Ministry of Corrections, Policing and Public Safety broaden its administrative segregation quality assurance process to include assessment of all key policy requirements.*** (2022 Report – Volume 2, p. 70, Recommendation 5; Public Accounts Committee agreement February 26, 2024)

**Status**—Implemented

The Ministry of Corrections, Policing and Public Safety improved its quality assurance process to monitor compliance with administrative segregation legal and policy requirements.

The Ministry's Director of Standards and Compliance is responsible for the quality assurance process around administrative segregation. Each week, the Director reviews all active administrative segregation files and documents the results of the review in a tracking sheet. The tracking sheet includes information such as the inmate's number, name, demographic information (e.g., age, ethnicity), start and end date of placement, reason for placement (e.g., safety of inmate, security of inmates/centre/others), and whether the correctional centre met the Administrative Segregation Policy requirements outlined in **Figure 2**.

We found the Director identified two instances where correctional centre staff did not perform the required daily review. We saw evidence of the Director communicating these deficiencies to correctional centre staff.

Reviewing all key policy requirements during the administrative segregation quality assurance process decreases the risk that quality assurance reviews do not identify key areas for improvement. Informing correctional centre staff of deficiencies identified during quality assurance reviews allows staff to correct deficiencies going forward, reducing the risk non-compliance with policies continues.

### 3.6 Reporting and Analysis of Administrative Segregation Enhanced

***We recommended the Ministry of Corrections, Policing and Public Safety enhance its written reports to senior management about the use of administrative segregation in its adult secure-custody correctional centres.***

*(2022 Report – Volume 2, p. 72, Recommendation 6; Public Accounts Committee agreement February 26, 2024)*

**Status**—Implemented

The Ministry of Corrections, Policing and Public Safety reports the results of its quality assurance reviews to senior management with reports that include key additional information.

Each year, senior management receives a report that includes statistics on inmates placed on administrative segregation, three-year trend information, and some analysis.

During our original audit, we found the Ministry's reports lacked key information, which is now incorporated into its annual reports. Annual reports now include:

- Number of inmates placed on administrative segregation for more than 15 days
- Analysis of the required reviews and quality assurance results (e.g., whether correctional centre staff properly completed reviews on time)
- Reporting and analysis of inmate appeals

Staff provided the 2023 annual report to senior management in January 2024. It showed all inmates were placed on administrative segregation for less than 15 days.

Quality assurance results in the annual report indicated that for the 12 instances of inmates placed on administrative segregation:

- 11 inmates had initial placement reviews fully completed (one initial placement review did not have all of the questions completed), nine of which were completed within two days of placement. All of these reviews were completed by a correctional centre manager.



- Nine placements required daily reviews. Two instances did not have daily reviews completed, and seven instances the review was partially completed, which is a significant improvement from 2022 when 68% of placements did not have a daily review completed.
- Six placements required a seven-day review, and all were completed.
- One placement required a 14-day review, which was completed.
- Eight placements had healthcare assessments completed for initial placement.<sup>4</sup>

Having information and analysis on its administrative segregation processes help senior management identify potential issues with the use of administrative segregation that need to be addressed.

### 3.7 Public Reporting on the Use of Administrative Segregation

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***We recommended the Ministry of Corrections, Policing and Public Safety publicly report key information about the use of administrative segregation***

*(2022 Report – Volume 2, p. 72, Recommendation 7; Public Accounts Committee agreement February 26, 2024)*

**Status**—Implemented

In 2023, the Ministry of Corrections, Policing and Public Safety released its first report about the use of administrative segregation to the public.<sup>5</sup>

This report related to administrative segregation included:

- Number of placements/inmates
- Reason for placement (e.g., security of inmates/facilities/other, safety of inmate, interference with investigation)
- Average length of stay
- Demographic information (e.g., age, ethnicity)
- Incarceration status (i.e., sentences, remand)
- Security threat group (i.e., gang affiliated, non-affiliated)

Publicly reporting about the use of administrative segregation helps the Ministry to demonstrate its commitment to reducing the over-use of segregation, as well as enhance accountability, and encourage oversight.

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<sup>4</sup> Healthcare assessments were required for nine of the 12 instances of inmates placed on administrative segregation.

<sup>5</sup> Ministry of Justice and Attorney General, *Administrative Segregation Statistics 2023*, [publications.saskatchewan.ca](https://publications.saskatchewan.ca/#/products/123606) #/products/123606 (7 October 2024).