



June 4th, 2014

Your file Votre référence

Our file Notre référence

Office of the Chief Coroner
Metrotower II
Suite 800 – 4720 Kingsway
Burnaby, B.C.
V5H 4N2

Attn: Lisa Lapointe

RE: **Coroner's Inquest Recommendations
In Custody Death of
MALHI, Surinder Pal Singh (DOB: 1953-02-18)
Surrey Memorial Hospital 2011-12-30**

RECEIVED

JUN 05 2014

MINISTRY OF SOLICITOR GENERAL
OFFICE OF THE CHIEF CORONER

Dear Ms. Lapointe:

I am writing in response to your letter dated March 31st, 2014, regarding the jury's findings and recommendations contained in the BC Coroners Service Verdict at Inquest report on the death of Mr. Surinder Pal Singh MALHI. We have reviewed the recommendations directed to the Surrey RCMP and wish to provide the following response.

Recommendation #1:

Written shift report at the end of every shift should include behavioural issues/changes noticed in prisoners. All shift reports should be written and passed on to the manager. This way, the manager is aware of cell activity and also has an opportunity to identify/follow up on any issues.

Coroner's Comments: Mr. MALHI's prisoner sheet did not state that his mattress was taken away or why, nor that his water was shut off. It recorded the incident as "poured dinner out door into hall". His behavioural status was not recorded anywhere by either the RCMP or the guards.

Response: The Standard Operating Procedures (SOP) have been amended to reflect this recommendation:

- C.1.j. All RCMP members and municipal cell staff, working in cells, must sign the log book at the start of their shift and at the end of their shift. Pass-ons will be documented by the Cell Team Lead at the end of their shift and delivered to the oncoming Team

Lead. The oncoming Team Lead is then responsible to deliver the pass-ons to their two guards, as they come on shift.

- C.1.h.4. All incidents, including prisoner behavior changes, occurring in the cell block will be documented in the log book by either a member or guard and initialed by their counterpart.

Recommendation #2:

Electronic C-13 forms that reflect health changes and show the author, date and time of changes made. Only RCMP should be able to make changes to this form. All recommendations for changes/updates should be made through the Sergeant.

Coroner's Comments: The jury heard evidence from the box indicating mental health issues was checked off manually on Mr. MALHI's C-13 form at some point during or after being booked into cells. This may have led to attribution of his unusual behavior to a mental illness and a delay in recognition of the seriousness of his situation. Had approval for the change been required by the Cell Sergeant, Mr. MALHI's change in condition might have been recognized. Although both guards and RCMP had access to the C-13 form, accountability for the prisoner's fitness to remain in cells rested with the Cell Sergeant in reliance upon the information provided. Evidence was led that wholly electronic C-13 forms would result in improved communication.

Response: This recommendation has been taken under advisement. The C-13 form is a National RCMP form. There are initiatives underway that are examining electronic book-in/monitoring that may provide for real time electronic documentation. The Surrey RCMP Cell Block policies have been amended to reflect the recommendation.

- C.1.j. All RCMP members and municipal cell staff, working in cells, must sign the log book at the start of their shift and at the end of their shift. Pass-ons will be documented by the Cell Team Lead at the end of their shift and delivered to the oncoming Team Lead. The oncoming Team Lead is then responsible to deliver the pass-ons to their two guards, as they come on shift.
- C.2.d. Any changes to the original C-13 must have a cell block member's initials and regimental number and include the date and time of the change.
- E.5.a. All prisoners lodged in the Surrey Cell Block will be coded using the VISEN Plus Coding System. This will be noted on the prisoner's C-13 form. A note must be placed on the C-13 form adjacent to the VISEN Codes as to whether the behavior was observed, or the information was provided by the prisoner or obtained from CPIC.
- E.5.d. Updates to VISEN codes on the C-13 must be made by a member and include his regimental number, date and initials.

Recommendation #3:

C-13 forms should only be filled out on admission. Any changes/additions to this form after admission need to be made on an addendum, (changes need to be dated and signed). This way there will be no confusion as to when/where changes in a prisoner's status occurred.

Coroner's Comments: See number two above.

Response: The Surrey RCMP Cell Block policies, Section C.2.d. have been amended to reflect the recommendation.

- C.2.d. Any changes to the original C-13 must have a cell block member's initials and regimental number and include the date and time of change.

Recommendation #4:

RCMP should make notes pertaining to prisoners in a log book where all employees in contact with those prisoners can see it (this way there is a continuity of information and better communication).

Coroner's Comments: The Prisoner Log Book in which the guards recorded the times of their checks, location of prisoners and other notable events was not apparently used or consulted by the RCMP members during Mr. MALHI's incarceration, although it was apparently available for them to do so. Their shift pass-on information was verbal only. There was also a whiteboard in the office area where information was temporarily recorded.

Response: The Surrey RCMP Cell Block policies C.1.j. and E.16.m.4. have been amended to reflect the recommendation. The Surrey RCMP are also exploring options to enhance the use of the prisoner log book by members assigned to the cellblock to both review and to document actions.

- C.1.j. All RCMP members and municipal staff, working in cells, must sign the log book at the start of their shift and at the end of their shift. Pass-ons will be documented by the Cell Team Lead at the end of their shift and delivered to the oncoming Team Lead. The oncoming Team Lead is then responsible to deliver the pass-ons to their two guards, as they come on shift.
- E.16.m.4. Any changes in the prisoner's mental or physical status must be documented in the Daily Log Book.
- E.16.m.4.b. Prisoners who are suffering from alcohol withdrawal may start hallucinating. If this happens, **Medical Aid must be sought immediately.**

Recommendation #5:

Screening tool for alcohol withdrawal (e.g. CIWA scale), as this can be a serious issue and would be important to be identified early on to prevent any serious consequences.

Coroner's Comments: Evidence was led that a significant number of prisoners had drug, alcohol and/or mental health issues. They also heard that alcohol withdrawal is fairly common in alcoholics and can be fatal. The guards and RCMP members were not familiar with alcohol withdrawal at the time of the incident. Evidence showed that the guard training program had since been changed to include training around alcohol withdrawal, but that no medical professional was said to be currently available at the cells. A protocol such as the CIWA (Clinical

Institute Withdrawal Assessment) scale would provide a basic objective assessment tool for staff who are responsible for prisoner safety.

Response: The CIWA scale is used by health care professionals as a tool to identify signs and symptoms of alcohol withdrawal. The signs and symptoms identified could also be indicative of other medical situations which might inadvertently cause staff to limit their consideration of other factors. To eliminate this concern, the Cell Block SOP's have been modified to state that all deviations from a person's normal behavior are possible indicators of a medical concern which need to be assessed and appropriately referred to a health care professional:

- E.16.j.4. **REMEMBER** – Take into account the possibility or presence of the other illnesses, injury, or mental condition. A person who is drowsy and smells of alcohol may also have the following:
 - E.16.j.4.a. Diabetes
 - E.16.j.4.b. Epilepsy
 - E.16.j.4.c. Head Injury
 - E.16.j.4.d. Drug Intoxication or Overdose
 - E.16.j.4.e. Stroke
 - E.16.j.4.f. Alcohol Withdrawal
- E.16.k. If a prisoner fails to meet **ANY** of the above criteria, medical attention should be sought. **IF IN DOUBT – CALL FOR MEDICAL ASSISTANCE.**

Recommendation #6:

Recommendation directed to the Mayor and Council, City of Surrey – not applicable to the RCMP.

Recommendation #7:

Notes should be made by RCMP and guards and available to all staff to ensure continuity of information/better communication and thereby aid in flagging issues that can occur.

Coroner's Comments: The RCMP members testified that they did not make notes anywhere, except on the C-13 forms and occasionally in their own notebooks in certain prescribed circumstances.

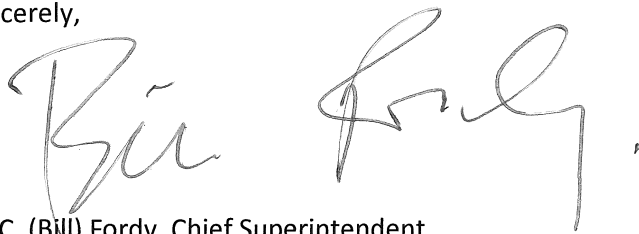
Response: Per the response to Recommendation #4, the Surrey RCMP Cell Block policies C.1.j. and E.16.m.4. have been amended to reflect the recommendation. The Surrey RCMP are also exploring options to enhance the use of the prisoner log book by members assigned to the cellblock to both review and to document actions.

Recommendations #8 & #9:

Recommendation directed to the Mayor and Council, City of Surrey – not applicable to the RCMP.

Should you require any further information, please do not hesitate to contact me at (604) 599-7712.

Sincerely,

A handwritten signature in cursive script, appearing to read "Bill Fordy".

W.C. (Bill) Fordy, Chief Superintendent
Office in Charge, Surrey Detachment

14355 – 57th Avenue
Surrey, B.C.
V3X 1A9

May 27, 2014

City of Surrey file #: **0410-01M**
BCCS Case File #: **2011-2016-0350**

Office of the Chief Coroner
Metrotower II
Suite 800, 4720 Kingsway
Burnaby, BC
V5H 4N2

Attention: Lisa Lapointe, Chief Coroner

Dear Ms Lapointe:

Re: Coroner's Inquest – MALHI, Surinder Pal Singh

This letter is in response to your correspondence dated March 31, 2014 with regards to the Jury's Findings and Recommendations as a result of the inquest into the death of Surinder Pal Singh MALHI. Specifically, you have requested consideration of Jury's recommendations #1, 6, 8 and 9 as described below:

Recommendation #1:

Written shift report at the end of every shift should include behavioural issues/ changes noticed in prisoners. All shift reports should be written and passed on to the manager. This way, the manager is aware of cell activity and also has an opportunity to identify/ follow-up on any issues.

Action: The Standard Operating Procedures (SOP) have been amended to reflect this recommendation.

SOP:

C.1.J. All RCMP members and municipal cell staff, working in cells, must sign the log book at the start of their shift and at the end of their shift. Pass ons will be documented by the Cell Team Lead at the end of their shift and delivered to the oncoming Team Lead. The oncoming Team Lead is then responsible to deliver the pass ons to their two guards, as they come on shift.

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OFFICE OF THE CHIEF CORONER

C.1.K. All incidents, including prisoner behavior changes, occurring in the cell block will be documented in the log book by either a member or guard and initialed by their counterpart.

Recommendation #6:

Debrief after critical incidents with all city employee staff (guards, sergeants)

Action: Debriefing after critical incidents will include employees that are directly and/or indirectly affected.

Recommendation #8:

24 hour Medical Nurse or Medical Practitioner present at Surrey Cells to assess prisoners upon admission and during their stay. This would aid in all aspects of a prisoners welfare.

Action: The City of Surrey has taken this recommendation under advisement and will be exploring the available options.

Recommendation #9:

Ideally electronic notes should be used as soon as the software is available.

Action: Surrey RCMP is part of a working group, consisting of police agencies in BC Lower Mainland, that continues to liaise with Prime-BC (Police Records Management Environment) to explore enhancements to the existing Cellblock Management System.

If you require any further information, please feel free to contact me at 604-599-7725.

Yours truly,



Johan Brand

Manager, RCMP Support Services