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I have been incarcerated for over twenty years and have lived the changes that were enacted under the three previous Conservative federal governments. Below, I discuss what, in my view, are some of the most profound changes.

THE SHIFT TOWARDS AN AMERICAN-STYLE SYSTEM

I have watched this all play-out very slowly. I feel some of the changes that have been made are very un-Canadian and if ordinary Canadians actually understood this they would not tolerate it. The notion of rehabilitation has been replaced with the far-right leaning notion of punishment. The Scandinavians understand the difference between rehabilitation and punishment, and have bet very heavily on the former, working wonders for their penal system and society. The Germans have also gone the more humane and civilized way. And again, this had positive outcomes on their society as a whole. The American ‘tough on crime’, ‘lock them up and throw away the key’ approach is the equivalent of sweeping the dirt under the rug. It does not fix the problem, it just moves it around. What have the Americans gained by their dungeons and ‘tough on crime’ approach? A super angry, disenfranchised, poorer, more desperate and dangerous society. I think it to be true when it is said that a society’s value can be measured by how they treat their prisoners. Look at the extremes. On one side we have Sweden, Norway, Finland and Germany. On the other extreme we can see Saudi Arabia, Iran, China, North Korea, Russia and the United States. Can we not say that the more freedom a country has, the more rights it affords to its citizens, the better society will look after their weakest? Anyone who says we should lock anyone up and throw away the key is basically saying they are too ignorant, too close minded, too hateful and too scared to understand the merits of rehabilitation. Human rights and prisoners’ rights go hand-in-hand. This shift to a broken American-style system must stop. All studies show that harsher punishments do not reduce crime and that a more civil rehabilitation approach does work. Today, if someone is convicted of three murders in Canada he or she can be sentenced to life-75, meaning no parole eligibility before 75 years in prison. In Norway, the same conviction will result in a sentence of 21

years with first parole eligibility after 14 years. Is their society falling into murderous chaos? No, on the contrary their recidivism rates are the lowest in the world, because they stress the importance to rehabilitation, not punishment for punishment sake.

LAWS ARE THERE TO PROTECT THE ACCUSED AND/OR CONVICTED FROM A TOTALITARIAN STATE

In the last twenty-three years, I have noticed a shift away from protecting the rights of the accused and/or convicted, as if eroding their rights gives victims greater rights and standing. I can understand the need for the state to want to fight for the rights of victims, but that cannot and must not come at the cost of the rights of those in conflict with the law. This move undermines the whole justice system. Keep in mind as we continue down this dangerous slope, we will move closer to totalitarianism whereby citizens will be subjected to excessive state power. The *Charter* must take precedence and inform law-making in this country.

MULTIPLE LIFE SENTENCES ARE UN-CANADIAN

Most experts will agree that a life sentence is a bad thing. It causes too much damage to the life of the prisoner, making rehabilitation much harder. That is why the many progressive countries,¹ have removed the life sentence from their sentencing and have replaced it with a 21-year maximum no matter the crime. Canada has made a great mistake by going in the other direction and sentencing people to multiple life sentences. Life-25 was a bad enough trade-off when the death penalty was abolished in this country. Increasing parole eligibility beyond this offers little hope with respect to rehabilitation. Why would this prisoner with nothing more to lose not act out in the most violent and desperate way possible behind bars?

It is inhumane to give such punishment. A civilized society offers its people a chance to correct an error, a chance to improve one's life, a chance to rehabilitate. An emotional eighteen-year-old can make a terrible mistake and because of a life-sentence their whole life is ruined. People change. Any psychologist will swear that a man at eighteen or twenty is not the same man at forty or fifty. But now with multiple life sentences, the notion of rehabilitation has been eroded of its meaning for many prisoners.

PRISONER PAY NEVER ADJUSTED FOR INCREASED COST OF LIVING

It is incredible to see how bad the federal penitentiary system has fallen. In the last few decades, I have seen the income of correctional officers go up every few years. Prisoner pay has stayed the same for the whole time I have been in the federal penitentiary system and now CSC even cut our pay by a third, so we can pay further room and board costs.

About 20 years ago, CSC made a small change to try and help prisoners with the cost of living. They added \$4.00 extra on a hygiene account so people could clean themselves properly. When given a choice of food or soap, people will choose food. So, the creation of a separate hygiene account where every pay an extra \$4.00 was given whether the prisoner worked or not, just to have the extra money to buy soap, toothpaste, shampoo and the like. And this hygiene account can only be used to purchase hygiene items. Well, that was more than twenty years ago. What do you think \$4.00 every two weeks can buy for personal hygiene? Behind the walls, deodorant costs \$5.78, toothpaste \$3.85, a toothbrush \$4.25, and so on. Basically, you make a choice, one time you buy deodorant, two weeks later a toothbrush, two weeks later shampoo, two weeks after that toothpaste, and if you need to buy soap for \$1.25 a bar that just means you will not have deodorant for a month. Is this how it should be? People choosing what they need to clean the most?

Prisoner pay is just as bad. It has never been adjusted for cost of living. People who have no families and rely only on their pay inside can take up to two years just to buy a television for themselves to occupy their minds. It is beyond ridiculous. It is shameful. Basically, the only way around this, is to sell drugs, steal and sell things from the prison kitchen, basically go to the prison black market to make ends meet. Some people who never stole a thing in their lives are working in the kitchen so they can steal extra food, sell it and use the profits to purchase basic necessities. The only solution, and it would fix dozens of spin-off problems, would be to make a long overdue pay correction. The best way would be whatever the national minimum wage is, that should be our daily pay. When the national average is raised to meet cost of living and inflation, then the prisoner pay follows. That is why mirroring the national average minimum wage makes the most sense. It can be used as a base. Most people here make \$5.80 a day, a very few make \$6.90 a day, and a lot more make less than \$5.80 a day. From this, they remove about a third for room and board, then there is cable cost, committee costs, the Inmate Welfare

Fund, and so on. We are lucky to have \$2.50 from the original pay received. Then keep in mind whatever we buy we pay taxes on as well. So, money that does not go very far to begin with, goes nowhere once CSC tacks on room and board. This ridiculous notion of room and board needs to end, and pay must go up to meet inflation and the cost of living. Otherwise, problems stemming from this will continue to persist.

INSUFFICIENT HALFWAY HOUSE CAPACITY AND BUILDING SUPER-PRISONS

Halfway house space continues to be insufficient given the demand.² A halfway house is an essential block in a prisoner's rehabilitation plan. With so many waiting to go into halfway houses, it makes it hard to believe that the government wants prisoners to rehabilitate, especially when we witnessed hundreds of millions of dollars spent on transforming existing penitentiaries into super-prisons. Why does Canada need larger federal penitentiaries?

CENTRAL FEEDING SYSTEM

The central feeding system³ must stop. Prisoners are human beings and should be treated as such. The very name itself is insulting, like we are animals. Asides from this, the logic to abandon the current food delivery system is very simple. Central feeding systems remove the nutritional value of the food. The second strike against this system is the loss of food quality and taste. If the government wants to feed us cardboard, then that should be part of our sentence. At present, it is not, and being fed this fare is an added punishment. There have been reports of people getting violently sick over the food. Another important issue is that kitchen work and training provide prisoners with more job training. Some people in the past have been released and got stable well-paying kitchen jobs based on what they learned in prison kitchens.

RETURN TO POLICIES AND PRACTICES THAT PLACE A STRONGER EMPHASIS ON REINTEGRATION INTO SOCIETY

There should be stronger emphasis and training for prisoners who are on their way out. I have seen job training cancelled, along with special school programs and even basic job skills training come to an end over

the years. This must change. More money must pour into these types of programs. What are people who have been in penitentiaries for decades to do when they get out? It is very important for our society that prisoners have the necessary tools they need to get out and stay out. A violence prevention program will not have the same value to a prisoner as a kitchen training program or programs teaching computer skills, marketing, business management, and the like. Having the means to provide for yourself is a first and necessary building block to achieving the stability necessary to live safely in the community.

ENDNOTES

- ¹ These countries include France where prisoners who receive life sentence are eligible for parole after serving 18 years. In Germany, a life sentence is 15 years. In Denmark prisoners can receive a pardoning hearing after serving 12 years. It should be noted that “life” sentenced prisoners serve an average of 16 years (Mock, 2015).
- ² According to the 2014 spring Report of the Auditor General Michael Ferguson which examined how CSC is managing public resources in accordance with its mandate, the organization was not preparing prisoners for a timely release into the community and many prisoners were being warehoused at higher security levels where the costs to incarcerate are much higher. In this assessment, the Auditor General found that: “We also asked CSC officials whether offenders were transitioning to community facilities once they had been granted day parole. The officials explained that the number of community accommodations available for offenders released on day parole had declined. Available beds in community facilities are taken by a growing number of prisoners on statutory release or subject to long-term supervision orders. These offenders are required by the Parole Board to reside in community facilities as a condition of their release, and have priority over prisoners released on day parole. As a result, some prisoners who were granted day parole stayed in the penitentiaries while they waited for accommodation to become available in the community” (Office of the Auditor General Canada, 2014).
- ³ The central feeding system is the “modernised” delivery of food services to federal prisoners wherein the food is cooked at a central location and then flash frozen and shipped to the institution where it can be re-warmed before being served. This is referred to in common parlance as “cook chill” technology and while the program has been introduced as a cost saving measure since it was introduced in 2014, the system has been fraught with complaints from prisoners regarding the quality and quantity of the food provided. See for example (National Post, 2017).

REFERENCES

- Mock, M. (2015) “Fact or fiction: Not all “life sentences” around the world are actually for life”, December 18. Retrieved from <http://www.robertreeveslaw.com/blog/life-sentences/>
- National Post (2017) “‘Yuck!’ Hungry offenders bartering sausages as prisons try to cut costs with new menu, ombudsman says”, *National Post* – March 21. Retrieved from <http://nationalpost.com/news/canada/prison-food>
- Office of the Auditor General Canada (2014) “Chapter 4—Expanding the Capacity of Penitentiaries”, in *2014 Spring report of the Auditor General of Canada—Correctional Service Canada*, Ottawa. Retrieved from http://www.oag-bvg.gc.ca/internet/English/parl_oag_201405_04_e_39335.html