

Port Cartier Institution

Anonymous Prisoner 6

I am in my forties and have been serving a life sentence since the early 1990s. This being the case, I have observed and experienced the real impact of the Harper government's changes to Correctional Service Canada (CSC) policies and practices. In my twenty-five plus years of incarceration, I have resided in many federal penitentiaries located in Quebec and have directly witnessed many of CSC's machinations in the fleecing of the Canadian taxpayer. I will try to be as concise as possible, limiting my comments and observations to a few short sentences per topic, because it would be far too easy for me to go on and on, and get lost in the details when my goal is to make specific arguments.

The first and most obvious change relates to *prisoner pay*. The new Commissioner's Directive 730 *Offender Program Assignments and Payments*,¹ in conjunction with a parole officer's 'discretion' and/or 'professional opinion' gaining more credence, allow them to enter information into Inmate Performance Evaluations, whether accurate or not, that deprive prisoners of their rightfully deserved pay level, which can in turn lead to mistrust and hostility between the prisoner and the case worker. From personal experience, even if a prisoner has done everything humanly possible to fulfill every aspect of their Correctional Plan and has the paper trail evidence to demonstrate this, the parole officer retains 'discretion' to report that they have low accountability, motivation and engagement.

When a prisoner uses the *complaint and grievance system* to remedy a situation like the one just mentioned, it now takes a ridiculous amount of time to receive a response. At every level, the answers are nonsensical and tow the organizational line. I can still remember when the Complaint and Grievance system actually worked, albeit this was a long time ago. Under Harper, CSC removed the second level grievance, but this did nothing to reduce the delays in processing complaints or the collusion between staff members at the different levels within CSC.

After an eighteen-month to two-year wait for the third level response to the grievance, the only course of action for a dissatisfied prisoner is the Federal Court. Obtaining provincial Legal Aid services to fight the federal penitentiary system is often next to impossible. Once a mandate can be obtained, often there are no lawyers available or they are too busy to take the case. In reality, they are not paid enough for the work they have to do. Meanwhile, the Attorney General has unlimited resources to fight

prisoner petitions. During this process, CSC frequently continues abusing their ‘discretionary powers’, which go unchecked and often violate the constitutionally protected *Charter* rights of prisoners.

Self-represented litigants before the courts get no help from CSC, despite what the Commissioner’s Directives would lead a naive reader to believe. There are no “computerized resources comparable to those in community libraries” (Commissioners Directive 720 *Education Programs and Service for Inmates*).² The paltry list of “judicial” resources inside is insufficient to direct a self-represented litigant anywhere. There are no photocopying services in the library here in Port-Cartier and most of the legal books are not on the shelves, but are hidden away.

From personal experience, while embroiled in a battle with CSC before the courts, on several occasions after having consulted a legal book that was on the shelf and accessible to all, when I subsequently returned to the library to consult the same book it had been removed from sight and had to be requested. Moreover, as unbelievable as it may sound, after Port-Cartier Institution purchased a *French Annotated Criminal Code* and I had made several complaints via the broken and corrupt complaint and grievance system guaranteed by the *Corrections and Conditional Release Act* (CCRA) to no avail, I had to fight for a year with the assistance of Language Rights in order to obtain an *English Annotated Criminal Code*.

Returning to the issues with the pay, there are the *new deductions* for “Room and Board” and the “Inmate Telephone System” (ITS). Both of these deductions would be ridiculous if they were not so cruel. They cut our pay with these new deductions, imposed vague and discretionary objectives in our Performance Evaluations, while severely diminishing the quality and nutritional value of our food. They also diminished our medical and dental care. Under our old pay system, a prisoner could barely get by, especially when they had to help pay for phone calls to family and/or Private Family Visits. Should one get sick, they have to pay for very expensive cough syrup, cough drops and aspirins that are no longer supplied by CSC.

The deductions for the ITS are a big CSC deception. I know a couple of different prisoners who have challenged the ITS deductions because they do not use the service. When prisoners inquired to find out how much money exactly was in the account to repair it, as we were lead to believe, we were told that no such account exists. In fact, the money is re-funneled back into helping defray the overall cost of the telephone system.

Another CSC rip-off is the new “Prototype” *catalogue for prisoner purchasing*. We used to be able to purchase from any store that would put up with CSC’s payment scheme. Now, the only option we have is to purchase items through this new catalogue. Items that we had been purchasing from one specific supplier are now two and three times the price in this new catalogue. The company that runs the catalogue appears to be purchasing these items (e.g. the exact same models of shoes) directly from the same companies or suppliers we once dealt with and charging us outrageous prices. You would actually have to see and compare the previous and current catalogues to fully appreciate this.

Furthermore, we had for years been allowed to deal with a well-known store that sells music on Compact Disc and shipped them through the mail. Now we have to purchase all our music through this new supplier at a flat rate per Compact Disc. We are no longer allowed double-CD’s and if it is more expensive than twenty-five dollars we will pay more. If it is less we still have to pay the minimum twenty-five dollars. The end result is that not only do prisoners pay more for products, with less pay than they had before, it impacts the overall number of items that can be owned within the allotted fifteen-hundred-dollar limit set by CSC.

Returning to the new Commissioner’s Directive 730⁴ in relation to the Correctional Plan and *education*, it is often applied in such a fashion that it borders on cruel and unusual punishment. There is a waiting list for seats in the schools, because there is a lack of jobs in the prisons. Most of the prisoners who are there do not want to be or are there through coercion by their parole officer. Where does this leave the few that actually want an education? On a waiting list or in a classroom where it is so noisy or disrupted by people that do not want to be there or should not be there as they would rather be working. Those present have difficulty concentrating and getting any work done in such an environment.

Back in the day, CSC used to offer actual job training skills for trades such as brick layer, carpenter, plumber, draftsman, electrician, welder, small engine mechanic, barber, gardener, as well as kitchen jobs. If CSC’s actual objective was to rehabilitate prisoners, instead of guaranteeing the momentum of their revolving door, they could be teaching guys skills that they might actually use once released. Instead, they spend a ridiculous amount of money creating new ‘rehabilitative’ programs and the only jobs created are the ones for the new guards they hire. A cynic would come to

the conclusion that their real objective when creating a ‘new’ program and coercing prisoners into taking it is to justify the continued position and salary of the guard turned ‘Program Facilitator’. I just finished a “maintenance program” given by a former guard and it was ‘recommended’ that everyone in my program do the course again, if available. Talk about fleecing taxpayers! How about computers for job skills training? This is where the future is headed. Computers had a moratorium put on them just before the Harper-era. The main reason that prisoners are no longer allowed to own computers was, and continues to remain, bogus³ – institutional security. Yet, we still have a limited access to computers owned by the institution. So, if they are so dangerous to the security of the institutions, why do we still have access? Their reasoning is completely flawed and applied inconsistently.

Last, but not least, there is the new five-year waiting period between Parole Board hearings for Lifers. This is troubling, particularly for all those that diligently try to fulfill their Correctional Plan despite the overcrowding in schools and the waiting lists for ‘rehabilitative programming’, the parole officer’s ‘discretion’ when it comes to Inmate Performance Evaluations and the like. To be told “you can try again in five years” extinguishes hope. How can CSC continue to pretend they are trying to rehabilitate anyone, when by all appearances it would seem they are really just trying to guarantee the perpetual growth of the federal penitentiary system?

ENDNOTES

- ¹ Correctional Service Canada (2017a) *Commissioners Directive 730 Offender Program Assignments and Inmate Payments*, Ottawa. Retrieved from <http://www.csc-scc.gc.ca/acts-and-regulations/730-cd-eng.shtml>
- ² Correctional Service Canada (2017b) *Commissioners Directive 720 Education Programs and Services for Inmates*, Ottawa. Retrieved from <http://www.csc-scc.gc.ca/acts-and-regulations/720-cd-eng.shtml>
- ³ According to Commissioners Directive 566-12-*Personal Property of Offenders* in effect 2015-10-19: “Inmates who have approved personal computers, peripherals and software, which were authorized as personal effects prior to October 2002, will be permitted to retain this equipment until the time of their release from the institution or violation of the conditions...”. That said, owning a computer is now considered a security risk (Correctional Service Canada, 2017c). Correctional Service Canada (2017c) *Commissioners Directive 566-12 Personal Property of Offenders*, Ottawa. Retrieved from <http://www.csc-scc.gc.ca/lois-et-reglements/566-12-cd-eng.shtml>
- ⁴ See *supra* note 1.