

Beaver Creek Institution
Anonymous Prisoner 11

The reason I am contributing to this *Dialogue* on penal reform in Canada is because I am in my sixties and my crime was an isolated incident, resulting in a sentence for second degree murder in the 1990s. I did 15 years inside as a model prisoner and was paroled in 2008 to a halfway house. Once there, I spent two years in the community without incident and was subsequently given full parole. However, in 2013, I was revoked for a negative urine sample. I have been back inside since, incurring unnecessary costs to taxpayers as my breach did not constitute a danger or threat to the public.

Prior to my incarceration, I was never a burden on society. With several skilled trades under my belt, I owned a home and business. Ever since Harper's 'tough on crime' and 'life means life' approach to imprisonment, a lot of us Lifers were revoked with no new criminal charges and with no help from our parole officers. This leaves us with no light at the end of the tunnel. There should be a time limit that restricts revoking parolees who have committed no new crimes once they have completed a significant portion of time under supervised release.

Beaver Creek Institution

Anonymous Prisoners

Having served more than a decade in federal penitentiaries, I have seen many things change for the worse. Below, is a list of recommendations that a number of us at Beaver Creek Minimums who meet regularly to discuss how we can atone for our actions with our victims and communities compiled during one of our meetings. However, before getting to this list, we wish to emphasize that given the time we spend behind bars and our will to succeed, there is such a wasted opportunity for educational training, including post-secondary trades. If offered in a more expansive way, it would make all the difference in the world. It is also important for us to have the chance to make money, to send funds home to help out and to have some resources upon release. The lack of incentive pay for working for CORCAN really hurts. I hope the Liberals make good on their promise to help make us better citizens.

Here are our ideas for change:

- Put in place opportunities to gain employable skills that reflect today's jobs
- Offer more trades and work training
- Streamline the grievance process
- Ensure consistency with respect to how parole officers apply policies
- Ensure that program assignments can be available and completed before major decisions like parole hearings (see the Auditor General's recent report on not preparing male prisoners for reintegration)
- Reintroduce accelerated parole review for first-time, non-violent prisoners
- Reinstate rules limiting double bunking and address crowding
- Encourage family support by making it easier to visit prisoners
- Lift the 2002 computer moratorium and allow personal computers as is being recommended by the Office of the Correctional Investigator of Canada
- Repeal the pardon legislation passed by the previous government
- Review pay cuts related to prisoner accountability issues

- Increase the possibility of release through Escorted Temporary Absences and Unescorted Temporary Absences
- Make funds and courses available for post-secondary education
- Reinstate incentive pay for CORCAN assignments
- Increase the grocery allotment
- Reinstate Old Age Security for prisoners to promote their safe reintegration
- Abolish phone charges for people who do not use the phone

Beaver Creek Institution

Salomonie Jaw

My name is Salomonie Jaw from Nunavut Territory and I have been a federal prisoner for the past 16 years. I have served all of my time behind bars in Ontario. When an Inuk person from Nunavut is convicted and sentenced for a term longer than two years they are sent down to southern Canada to serve it. That is because there are no federal penitentiaries in Nunavut. As the Nunavut population is growing, I think it is time the federal government start considering to build a federal penitentiary there if it will not put in place viable alternatives to incarceration for Indigenous peoples as Prime Minister Justin Trudeau mandated Minister of Justice and Attorney General of Canada Jody Wilson-Raybould to look into.

The things that I would like to see done by the federal government, which in my view are very much possible to implement, are the following:

1. Assist our families and loved ones to visit us, providing an escort so that they will be safe and not get lost during travels. Presently, many Inuit prisoners do not get to see or spend time with their loved ones the whole time that they are incarcerated, which undermines their reintegration.
2. Allow Inuk prisoners to attend the funerals of their relatives. It is mentally straining both to the prisoners and survivors of death when the former is denied this opportunity.
3. Reinstate the two-year wait for a parole hearing after a prisoner has been denied parole.
4. Restore prisoner work pay to where it was before. We prisoners started paying more for our own food and accommodations some years ago and as a result our take home pay was considerably decreased.

Thank you for this opportunity. I sincerely trust that you and others will seriously look into these very important points.

PROGRESSION OR REGRESSION?

I would like to offer my observations on some of the changes that have occurred within Correctional Service Canada (CSC) penitentiaries in the last ten years following the release of *A Roadmap to Strengthening Public Safety* (Sampson *et al.*, 2007). I have been incarcerated for more than 20 years. I spent almost 5 years in pre-trial custody in solitary confinement and over a decade and a half years in the federal penitentiary system. After several months in the Millhaven Assessment Unit I was moved to Kingston Penitentiary. After approximately 30 months, I cascaded to Warkworth Medium Security and within a short 18 months I was sent back to maximum-security where I spent an additional 4 years. I cascaded once again to medium-security at Fenbrook Institution, following almost 5 years. For the past few years, I have been in Beaver Creek Minimum.

When I first entered the federal system in 2001, CSC was espousing the mission statement set out by Ole Ingstrup. It appeared to me progressive, with a focus on rehabilitation as opposed to retribution. There were certain individual liberties that I felt were conducive to personal growth and responsibility. For example, you could own or purchase a personal computer, post-secondary studies were easily accessible if you could pay for it, you were allowed almost any type of personal item that fell under the institutions security guidelines and there was a general air of progression with attention to quickly cascade to lower security levels. Additionally, there was a focus on CSC “Core programming” (i.e. anger management, substance abuse, etc.). At that time, vocational training programs were non-existent, except for menial institutional jobs and limited CORCAN industries work assignments.

In 2007, the report *A Roadmap to Strengthening Public Safety* was released and five key areas were addressed: “offender accountability, eliminating drugs from prison, employability, physical infrastructure, and eliminating statutory release”. With the implementation of the recommendations, “offender accountability” resulted, in most cases, in a drop of our pay levels, usually from level A (\$6.90 per day) to level C (\$5.80 per day). The reduction in pay was to motivate prisoners to either actively pursue their correctional program or acknowledge their culpability (in cases that convicted prisoners maintained their innocence) or involvement

in an organized crime group. Under the guise of “offender accountability”, more stringent cascading parameters to lower security levels were enacted, creating bottle necks for prisoners following their correctional plans. This also resulted in the implementation of paying additional room and board, as well as a flat rate for the telephone maintenance beyond the per minute cost paid by prisoners in full. “Offender accountability” through the reduction of institutional pay has resulted in demotivation, rather than motivation for good conduct and responsibility.

Eliminating drugs from prison has been fairly successful, however, at a great cost to personal dignity to our visitors and ourselves. The drug interdiction program still uses antiquated ion scanner technology that produces many false positives that are reported in the Offender Management System (OMS), which casts a suspicious light on prisoners, which may affect future transfers, as well as access to escorted temporary absences (ETAs) or unescorted temporary absences (UTAs). Moreover, the visitors and prisoners are dog searched when an ion scanner hit is recorded and even when the dog search that follows is uneventful, the false positive is still recorded on OMS. Often there is a physical roadblock in place before visitors enter institutional property, and their vehicles and persons are searched. As you can imagine this is a high price to pay to maintain family and community contact. Eliminating illicit drugs from penitentiaries is important and helps with the overall rehabilitation of those who have drug use issues. However, it is important to uphold and maintain the dignity of visitors and prisoners, including those who are not part of this subculture.

In the area of employability not much has changed. Meaningless jobs still prevail and there are few opportunities to gain consequential job experiences or developing marketable skills. The introduction of basic workshops at minimum-security such as Small Engine Repair, Horticulture, and Basic Carpentry are okay, providing a modest amount of information, but does not give enough accreditation for prisoners to apply to an apprenticeship program. What the focus of employability has resulted in is greater internal restrictions on prisoner movement during the workday. Depending on the security level, and as was just recently implemented at Beaver Creek Minimum, if you do not have an institutional job or are gainfully employed elsewhere as in the case of work release, you must stay in your cell or on your range. Previously, you were allowed to go to the library, the gym, hobby-craft or walk the grounds. Further work is required in the area of

employability, through concrete training programs that provide prisoners with government accredited certifications or professional licensing. The gaining of marketable skills and educational upgrading are assurances to reduce recidivism and controlling long-term costs associated with crime.

Physical infrastructure changes have resulted in amalgamating different level security institutions in the same area, as well as decommissioning Kingston Penitentiary. While there maybe cost savings associated with fewer senior and administrative staff positions, when two institutions are combined like Fenbrook Medium and Beaver Creek Minimum, the higher security ethos is adapted for the entire multi-level institution. Security staff from both levels are used and the higher security staff have a tendency to use a harsher style in the lower security setting. We have earned our way to minimum or camp as it was once referred to, we are on the cusp of re-entering society, and it is important that we do so in less institutionalised ways. Multi-level security facilities on the same premises do not seem to work. Instead of ramping up the prison-industrial-complex, it would be wise to study the Norwegian model and implement the elements that work there.

The fifth key area outlined by Sampson and colleagues (2007), the elimination of statutory release, was never implemented. It should stay that way, especially given the costs of incarceration and the benefits of gradual release in terms of safe reintegration.

With many of the changes that have occurred in the intervening years, much discretion afforded to wardens has been removed, translating into a larger role for Parole Board Canada (PBC). For example, if you are serving a life sentence and housed in a minimum-security you are eligible to participate in ETAs, whether for personal reasons such as maintaining community contact or to offer to volunteer work through a community services volunteer group (CSVG). Your ETA application is presented to the PBC, after having been exhaustively reviewed and approved by the various levels within the institution. A ruling by the PBC is made and an ETA is granted. The length of the permit is usually six months and has to be renewed thereafter with another application to the PBC. It costs the system more money by adding these types of redundancies and greatly slows the progress of a prisoner's reintegration. The removal of warden's discretion also undermines their role and part of the dynamic security element they bring to the office. The warden or their designate walk the institution regularly, observing prisoners first-hand under a variety of

situations. They often know the prisoner on a first name basis, which gives them key information on their true conduct, which in addition to formal reports, contributes to a more accurate evaluation of a prisoner's prospect for success in the community when it is necessary to make a decision on an application. This style of corrections is humane and effective, and was previously practiced with successful results. A return of warden's discretion is efficacious in reducing costs and streamlining decisions.

From a Lifer's perspective, UTA and day parole eligibility dates have been delayed due to the lack of streamlining. Although the prisoner reaches an eligibility date, it is virtually impossible to get day parole on that date. The system would like to see a series of UTAs first, before considering the idea of day parole. It is a catch-22 – without the possibility of demonstrating that one is a manageable risk by participating in UTAs or work releases it would then preclude them from having a remotely reasonable chance at day parole. The current wording of the *Corrections and Conditional Release Act* (CCRA) does not allow Lifers to participate in work release before their UTA date, despite being housed in a minimum-security penitentiary. In addition, the idea of a federal prisoner having the wherewithal of earning any measurable monies to support their reintegration is very slim. As mentioned earlier, Level A pay is \$6.90 per day. After deductions that were not in place before, the pay is \$3.40 per day. These are additional impediments to a successful release and reintegrating back into society. In the recent Conservative era, streamlining of decisions was lost through the increased use of PBC decisions resulting in a bottle-neck that slows the prisoners' eventual release. In the case of Lifers, UTAs and day parole eligibility dates are moving targets that keeps an otherwise eligible prisoner from becoming a full-fledged, taxpaying citizen.

Mental health concerns are still issues that have not been resolved. Crisis intervention is marginally satisfactory, while on-going treatment to deal with issues are paltry. In addition to the myriad of problems developed from incarceration, especially mental health issues that arise because of privation, predation, isolation and marginalisation, the result is further trauma that usually goes untreated. We need to have more mental health professionals, as well as guides and mentors, to assist in our rehabilitation. I feel in many cases the index offences are a result of cognitive aberrations and an imbalance in a person's mental, emotional, spiritual and physical well-being. We can address this area by not necessarily throwing money at it, but

by including our stakeholders – the community – through the promotion of outside volunteer participation, making our penitentiary walls permeable. Penal castigation and isolation does not work, but further exacerbates the challenges facing our society.

Along with mental health issues, physical health issues have arisen because of funding cuts. Preventive health programs like dental care have been seriously curtailed, with only emergency cases being seen. A return to dental hygiene and regular checkups are a cost saver in the medium- to long-term. Effective physiotherapy is almost non-existent and the preferred way is to medicate rather than to treat the underlying issues. With an increase in medication, there is also an increase in the potential for abuse of medication that may reinforce problematic drug use. Holistic and other preventative types of medical care should be implemented.

Double-bunking and crowding is an ongoing issue. Many of the ranges are designed for a certain amount of people and when you begin to exceed those limits problems arise that usually result in additional stress, depression, violence and isolation via segregation placements. You must remember that a person goes to a penitentiary as punishment, not for punishment. Being double-bunked for any length of time is punitive and undermines the elements of rehabilitation.

The quality and quantity of food has always been an issue in penitentiaries, which has been further exacerbated with the introduction of a central food preparation centre. The meal is prepared at a central site, packaged, frozen and shipped to the receiving institution. The institution then reheats the meal which is served to the prisoners. There has been a huge increase in the use of mechanically separated meats. Previously, each institution had its own kitchen where staff and prisoners worked together. The prisoners learned valuable skills that could easily be transferred to the community through the example set out by staff. They learned alternative ways of proper comportment. The good news is that some institutions, generally camps and some medium institutions implement the Small Meal Preparation Model. This is where prisoners, select from a list of approved food items, prepare, and cook the food that they eat. It is a fantastic program where prisoners learn to cook, bake and apply the principles of food safety, nutrition, and budgeting. The food per diem is five dollars, which is a challenge, yet the meals are generally nutritious meeting Canada's food guidelines and certainly tastier. Prisoners who have never prepared a meal in their lives

have become quite proficient at it and this program instils in them a variety of skills that they can take with them when they re-enter the community.

Education and gaining marketable skills are the hallmarks of reduced recidivism. Currently, federal prisoners have little to no access to the Internet and as a result cannot access online post-secondary education programs. It is virtually impossible to get affordable and quality paper-based post-secondary studies any longer, and I believe that measures can be taken for limited electronically monitored access to educational sites. One of the goals shared by prisoners is that upon release they can hit the ground running by being prepared in advance through educational upgrading. Currently, CSC's educational mandate is to complete Grade 12, which is woefully below par. Easier access to post-secondary studies and limited Internet exposure will assist in a prisoner's safe reintegration into society, as well as reducing the costs to the system.

With the release and implementation of much found in the report *A Roadmap to Strengthening Public Safety*, CSC has become insular rather than forward-looking. The effective corrections that were practiced previously had a demonstrable drop in recidivism. Mental health issues continue to plague the federal penitentiary system and require a concerted effort to address the deficiencies with perhaps an additional focus on incorporating holistic health techniques. Double-bunking does not contribute to a person's well-being, and is detrimental to good and respectful behaviour, and this practice should be stopped. Finally, the quality and quantity of food has sparked numerous riots in the past, and it appears that we are going down that same aisle again. Decentralising food preparation not only provides respectful institutional work for prisoners, it gives them marketable skills that can be transferred upon release, while supporting the local community with contracts to provide supplies. A return to responsible and humane corrections will add to the progression of our society.

REFERENCES

- Sampson, Robert, Serge Glascon, Ian Glen, Clarence Louis, and Sharon Rosenfeldt (2007) *A Roadmap to Strengthening Public Safety*, Ottawa: Public Safety Canada

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Anonymous Prisoner 13

I am a first-time prisoner and came into the federal penitentiary system a few years ago. Upon arriving to the system, I quickly learned of the slow, punitive and non-rehabilitative mentality under the Conservatives. There is no incentive to be rehabilitated or change, because no matter your efforts to do so, there are constant roadblocks to discourage you like:

- (1) *The elimination of APR (accelerated parole review) and programs.* I have made a relentless effort to see what programs I can do that would be recognized, to have a fighting chance, so that when it is time for me to go before the Parole Board I can show my progress, what I have changed, how I can be successful. The reality is I do not have much to offer except all the volunteer programs which are not institutionally recognized, along with my honesty and transparency. There are no core programs for me as I do not qualify because I am a first-time prisoner. There used to be in my opinion a second chance, an incentive prior to 2011, an early release for first-time, non-violent prisoners, who if they behave as role models in the institutions they could be granted release. This was taken away by the Conservatives and APR needs to be reinstated.
- (2) *Opportunities for post-secondary education, employable skills and trades have declined.* I have tried to upgrade my post-secondary education for the past two years with no success. I was able to have a bursary for 1 out of the 8 courses in Construction Management available at the time. After I completed the first course, they told me I could not continue due to the fact the course was no longer available through correspondence, only online, which meant that the option for me to upgrade my education in the field I want and will be working after my release was gone. Prisoners need options to gain employable skills or learn a trade.
- (3) *Family and support via visits has been undermined.* I understand and agree there has to be security measures to eliminate the attempt for any type of contraband in the institutions, but the measures have to be consistent and unbiased. When it is solely relied upon, the ion scanner has been proven to be inaccurate, due to so many things that can influence its accuracy like medication, creams, colognes or just the fact of having a job that puts you in contact

with many people. All these things and many more can impact the accuracy of the machine. Screening measures need to be in place that are accurate and do not deter visitation that promotes prisoner reintegration.

I do not have much else to contribute as I have not been in the system that long, but I do see how only punishment and no rehabilitation can bring only negative outcomes. All I, along with other prisoners ask for, is for an opportunity to help ourselves become productive, contributing members of society, as we will be released one day into the community and will be your neighbours.

Beaver Creek Institution
Anonymous Prisoner 14

I am serving a life sentence for second degree murder with no full parole eligibility for 10 years. I started my federal sentence in 2011 at Millhaven Institution and am now in Beaver Creek Minimum where I have been since 2014.

A few things that I would like to see changed are to have the Old Age Security payment to qualified people be returned to them with back payments and interest. This was taken away from me and others by the Harper government because of remarks made by prisoner Clifford Olsen.

Secondly, my day parole and Unescorted Temporary Absence (UTA) dates are both set to the same date in fall 2017. The problem with this is that our parole officers always want us to have UTAs to our halfway house prior to being granted day parole, which makes it impossible to receive day parole on our eligibility date. UTA eligibility dates ought to be six months prior to the day parole eligibility date to facilitate this.

Beaver Creek Institution

A.C.C.L.

I received a life-25 sentence in the late 1990s and was imprisoned in the Pacific Region until recently, where I transferred to Collins Bay and then Beaver Creek Medium, followed by a placement in the minimum. Below, I offer my observations on the detrimental changes to the federal penitentiary system and what reforms are required to enhance correctional outcomes.

CSC’S APPROACH TO CRIMINALIZED DRUG USERS

While residing at Collins Bay I was fortunate to be part of a group that met 50 judges from across Canada. I was amazed at how much they did not know about the federal penitentiary system they send people to. Repeatedly, they expressed that they thought that the people they were sending to federal penitentiaries would get the help they needed. They were horrified, you could see the look on their faces when prisoners spoke up and told them the realities of Correctional Service Canada (CSC) institutions. The bare minimum for employment and skills, and programs to help drug users, were the same program set everyone takes. There is no real help for those addicted to drugs behind bars. CSC will argue that they give them methadone and that they can take a program. CSC will say they are combating the ‘war on drugs’ by fortifying the walls and fences, adding drug dogs and searches, using ion scanners, which is outdated machinery. CSC believes the problem is with drugs coming into the penitentiary, yet you will notice that the union of guards does not allow the ion scanner to be used on their members. CSC does not adequately help the addict whatsoever and before coming to Ontario, I was in British Columbia where there is a great need for drug intervention and harm reduction because so many people die from overdoses every year, on the street and inside. The lower East Side of Vancouver is indescribable and saying it is the poorest neighbourhood in all of Canada is not saying enough. Fortifying fences and pushing family away, is only compounding the problem.

While I was in British Columbia, Greg Hanson and I got to sit down with Minister of Public Safety Stockwell Day to discuss recidivism. This was as the federal government was going from penitentiary to penitentiary interviewing prisoners and staff creating a report called *A Roadmap to Strengthening Public Safety*. I also took a course called “Prison Legal Advocate” with Michael Jackson from the University of British Columbia and other lawyers. They opposed this roadmap to no avail.

At that time, prisoners who did two-thirds of their time would go home, on parole and have to abide by rules and stipulations until their warrant expiry. These days, those same prisoners often have to reside in a halfway house and the system is backed-up immensely. Prisoners who get parole are often waiting for weeks or months for a bed to open. The beds taken by those who do not need them are preventing others from accessing the resources they are seeking. For instance, a prisoner who was addicted to drugs and had no family did not want to be released from prison unless he could go to a halfway house so he could have a chance. CSC would not let him reside at a halfway house, so on the day of his release he locked and barricaded himself in his room, refusing to come out. CSC initiated a lockdown, fragged him (used a bomb), and smoked him out of his cell. They then proceeded to pepper spray, hand-cuff and escort him out to the street. The next day, while they were packing up his cell, the prisoner now on the streets took his own life as he said he would do because he was tired of the struggle. I have a lot of stories like this one and I have developed a lot of empathy for drug addicts. They need help and the program module (i.e. the Integrated Correctional Program Model – ICPM) we have now by itself will not help.

With this said, the ICPM program is the best I have ever taken because it made me think not just about my index offence, but all my offences and what led me to them, challenging my behaviour and helping me learn about myself. CSC used to have violence prevention programs, family programs, drug programs, alcohol programs and the list went on. The problem was that prisoners would have to take sometimes between two and six programs during their stay and could not get them done in time for a parole hearing. Thus, the prisoner would be stuck in the penitentiary until the programs were complete and in most cases, were let out at statutory release. This ICPM is supposed to help prisoners address their programming needs and free up the facilitators so all prisoners can take a program. However, in practice, this is not the case, as CSC only has one program to offer with a huge waiting line to take it. The other problem with the ICPM is it addresses our problem needs in intervals. It has been awhile since I took the program, but weeks one and two would be about associates, weeks three and four would be about crime for gain, with weeks five and six about drugs and alcohol, followed by weeks seven and eight about something else. There is only a two-week entry into the moderate and a one month entry in the high ICPM that talk specifically about drugs. If you are addicted to drugs that is

not enough support for your entire sentence to prepare you for the street and not consume drugs.

Years ago, CSC had Drug Free Units and they were somewhat a relief until they kicked prisoners off the unit for using, rather than helping them when in need. Security imperatives took over, as more searches, urinalyses and control became the norm. Previously, these units gave support to prisoners on the unit with a 24-hour toll free hotlines for help and daily circles. Prisoners also somewhat policed themselves and staff were specially trained for the needs of those on the range. When a prisoner was released and stayed off drugs they were an inspiration to all.

ON “FAINT HOPE”

As I already stated I am a Lifer. It took me more than a decade and a half to reach a minimum-security setting, and I made it there the day after my 15-year review pre-screening hearing for parole under the “Faint Hope Clause”. The Harper government took away the “Faint Hope Clause” or 15-year review, which allowed Lifers to go through a pre-screening by a judge who determines if your case could go before a jury who could reduce your parole eligibility date. The criteria for it was stringent, requiring that all your programming be completed and that you demonstrate progress such as being in a minimum-security institution at the time of your application for pre-screening. Having ETAs and UTAs under one’s belt is also an expectation. Given that I was in a medium and did not pass my pre-screening, I cannot apply again for five years. Under the old system it was two years. This change, along with many other penal reforms put forward by the Conservatives, were done in name of Clifford Olson and other exceptionally troubling prisoners, who were never getting out because necessary protections were already in place in our laws. The news media had a responsibility to mention this in their coverage of the punishment agenda, but often failed to do so as Conservative laws, policing and practices were implemented.

In my case, CSC would not send me to a minimum saying that if I received a bad decision in my hearing that I could be an escape risk, so they waited until after my hearing date to send me. The court says it is a prerequisite that I be in a minimum to apply and pass the pre-screening.

When CSC transferred me the very next day after my failed hearing suggests that I was setup to fail. When I came to minimum listening to the words of the judge and Crown, I sought to apply for ETAs and UTAs only to find out that I cannot get UTAs until I am eligible for day parole, which is three years before my full parole eligibility date. I am essentially being barred opportunities to prepare myself for release and the way the system is setup for Lifers, it seems that many of us that can safely re-enter the community will be incarcerated beyond our full parole eligibility dates.

ON THE SECURITY THREAT GROUP

The Harper government and CSC brought in what they call STG (Security Threat Group) claiming that the face of Canadian prisoners is changing. As the Canadian population has become increasingly diverse so too has the federal prison population, and by diverse CSC means gangs and people with gang affiliations. This label is inappropriately applied to many prisoners sometimes on the basis of the neighbourhood where arrested in, where they sit and eat at a table in the penitentiary cafeteria, if they work out in the gym with a “known gang member”, and the like. It is very easy to be labeled and tremendously hard to be removed from the list.

Prisoners labeled as part of the STG are prejudiced with respect to the delivery of institutional services. STG prisoners cannot access pay higher than level “C” and are reported as not following their correctional plan. Furthermore, they cannot have jobs of trust within the institution. CSC more or less labels them a social pariah by telling others if they continue to associate with you then they too will be listed. This all has an impact on one’s security classification as well and one’s ability to access gradual release mechanisms.

It needs to be noted that for most, *if* a person belongs to such a party when they are arrested, they no longer belong to the party – they are “hung up”. While awaiting trial, one who manages to get bail is required to follow non-association stipulations that prevent such relations from being maintained. The same goes for parole following a conviction and serving time behind bars. The STG label limits options for affected prisoners, which undermines their rehabilitation and reintegration. To respect procedural fairness, the STG has to be changed and stop being abused.

MIXING POPULATIONS

I am not an advocate for prisoners who choose protective custody. For years, I did not know how they lived and did not care. However, now all the penitentiaries are mixed and the lower you go in security, the more susceptible you are to having dealings with protective custody prisoners.

CSC institutions used to be general population or protective custody. Years ago, CSC decided to mix both and here is what I have noticed over the years. These protected prisoners are protected for a reason and that reason varies such as their offence, things they have said, but mostly their behaviour. What I mean by behaviour is such prisoners are the ones who bud in lines, who feel entitled to everything, who have the “I don’t give a shit” attitude, and are rewarded for their bad behaviour because they become sources for security intelligence officers. Most of them are drug users who run from penitentiary to penitentiary owing money and telling security intelligence what they want to hear.

I am a grandfather and an uncle to about dozens of children. When I was in Beaver Creek Medium I was surrounded by prisoners who previously harmed children. These prisoners were verbally abused every day in one form or another – and I mean every day. That made me think about their rehabilitation and how they can move forward with all this abuse in a positive way. They must hold onto a lot of resentment and the people that will suffer are people on the street, and that could be one of my children, grandchildren or relatives. So now I pay special attention to what help CSC is providing these prisoners. Unfortunately, CSC only offers up a program and if completed then they are following the correctional plan. These prisoners have different needs than others such as counselling, therapy and all sorts of things that are not provided to them since the two populations amalgamated. This needs to change for all of our sakes.

When there was Protective Custody, these prisoners would be better positioned to get the help they needed and to not be abused every day. While I am not their advocate, I do not want to see people harmed on the outside or go through the trauma these people inflict. I feel that if I say nothing then I am a party to the damage they could cause once released. The General Population and Protective Custody facilities have to come back.

INCENTIVE AND REGULAR PAY

Prisoners lost the incentive pay that they made at CORCAN. This is a big deal especially in these times when the cost of living has gone up for everything. The incentive pay helped parents send money home to their families, pay the phone bill to keep in touch with their loved ones, gave a prisoner a sense of satisfaction while they were working all day. That CSC took away the incentive is damaging, both to the work program and to the rehabilitation of prisoners.

Few work opportunities provided by CSC lead to the transfer of meaningful skills and certifications. There is always an exception to the rule and Collins Bay has the best welding CORCAN program I ever been to with the chance to get a ticket every three months. A prisoner can get up to I think twelve tickets for welding. These tickets are only good in Ontario, but this is better than not being qualified at all. Here, at Beaver Creek, CORCAN has prisoners making tents and tool belts for Home Hardware, leaving us with absolutely no skills unless of course one wants to make the same amount of money outside as inside working for a sweat shop.

Prisoners need the incentive pay back, and all vocational and work programs need to provide prisoners with marketable work skills for employment. While on paper, Commissioner's Directive 720 *Education Programs and Services for Inmates*¹ promises this, CSC only offers the bare minimum at most of its institutions, leaving prisoners with minimal skills. This needs to change.

THE CONSTRUCTION OF NEW UNITS AND ITS IMPACT

In the context of declining crime rates, the Harper Government built units inside the fences of existing penitentiaries almost everywhere, despite owning property beyond them. Did they build these ridiculous penitentiary units on the inside of the fences to circumvent having to tell the public in town hall meetings and avoiding opposition to having multi-level facilities in their neighbourhood?

The pitfalls of these new facilities are numerous. Our yards have shrunk to nothing. Some of the buildings are unused eyesores (e.g. they have a 56-

bed unit here at the minimum and it has not been opened yet; they also have a program building that has never been used for programs, and it sits there empty with the heat and lights on). Since these buildings have been built, prisoners have been paying additional food and accommodation fees, while the cost of living inside (e.g. canteen, groceries and vending machines) has gone up. As already stated STG only get level C pay, and it is extremely hard for a prisoner to get and maintain level A pay.

We prisoners are basically paying for new units that should have never been built that have consumed our yards, taken from us our free time and space, created additional crowding problems in process via double-bunking, and made the environment more dangerous. We have paid for this with the violation of our rights and freedoms, including the right to be treated fairly.

We used to have socials and food nights. The Conservative government thought it was too much that prisoners could order and eat takeout food from local restaurants that occupy space around the penitentiaries. The guards' union said drugs come in through socials so they were cut, our groups and ethnic groups were cut and yes also religious groups such as Wiccan were cut. All of these cuts are undermining community connections that facilitate safe reintegration. Moreover, the food night CSC cut off local MA & PA restaurants we once helped, which also promoted a good working relationship between them and the community. Who does not want to make \$30 times hundreds of people in one afternoon? Socials were a way for us to visit our families for a few hours in a nice setting and a chance for a family to see that things are all right for their parent in prison, and a good time for parole and correctional officers to meet and see their case load in a family setting. It is as-if anything that contributed positively to the lives of prisoners had to go under the previous government, consequences be damned.

POST-SECONDARY EDUCATION AND COMPUTERS

While prisoners, before and after Harper, can take post-secondary courses if they pay for them, the problem we are facing now is that all courses are online. The colleges and universities used to send books and that does not happen. The guards' union and CSC are going to have to get with the times. We are living in the dinosaur age. We need computer and Internet to gain an education on our own dime. Computers are a big part of the outside world

and people like myself who have been in since the 1990s do not have the experience with email, texts and so on. Computers are used in all places for everything and not knowing anything about them puts us Lifers at a great disadvantage. The fact we are not allowed to have computers in our room is nonsense. At the very least, we should have limited access to the Internet and learn how to use it. Considering that most banking and payments are done electronically, it would make sense that we would know how to do it. While all attempts at advancement in these areas are thwarted, CSC and the guards' union tell the public they are preparing us for the future. We are being prepared for failure and job insecurity, and that is not right.

PURCHASING IS BEHIND THE TIMES

As part of the previous Conservative government's Deficit Reduction Action Plan, CSC's Executive Committee decided to standardize purchasing and procurement practices. Consultation on the list of personal effects was conducted in late spring 2013 with regions, institutions and prisoners. When they say consulted prisoners, they meant they sent a memo telling us what will be happening. Prisoner purchasing and allowable item limits have to be addressed. Right now, the purchasing system is being monopolized by one company. Before the Harper government, we were able to order allowable effects from local vendors helping the community we lived in, at the same time keeping our own identity. Not long ago, prisoners wore the same clothing and numbers, which, along with many other deprivations, dehumanized the incarcerated leading to riots among other things. From the riots of yesteryear, the CCRR and CCRA came to be. This was seemingly forgotten by the Harper government, the guards' union and CSC who brought us backwards.

ON ACCOUNTABILITY

With *The Safe Streets and Communities Act* which received royal assent, several changes were made to the CCRA, including several measures put in place in the name of accountability. The problem with CSC's new version of accountability is they always hold us accountable for our actions and hurl labels upon us arbitrarily (e.g. STG), while not being accountable for fulfilling their own obligations. This antagonistic approach is not helping

in rehabilitation and in fact are doing the complete opposite. Moreover, when the legislation sought to clarify that the “protection of society” was to guide CSC decision making, it made it sound as if this goal was not a chief priority before. We all know that the safety of the public has always been first and, to this end, a more collaborative ethos needs to be put in place inside Canada’s federal penitentiaries to work towards this outcome.

CONCLUSION

I have covered many issues above that I am extremely passionate about. I believe people can change. I believe in rehabilitation and that people are genuinely good. Even as I am surrounded by negativity, constantly pounded, and put down by CSC, I have to believe in what people on the outside and parolees tell me when they say to hang in there, that when I am out things will be different and people are good.

ENDNOTES

- ¹ Correctional Service Canada (2017) *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>

I am serving a life sentence. I have been incarcerated for 14 years. From my perspective, the Harper government made reforms to the federal penitentiary system that will manufacture criminals.

Correctional Service Canada (CSC) removed many opportunities for prisoners when they reduced the workshop programs and opportunities to gain tickets for things like welding or carpentry. There are no apprenticeship hours or trades to be earned. When a person such as myself learns a trade, it provides me with options and the confidence to know I can learn and work, making me feel prepared to seek employment. CSC programing is crucial and it also works. It is good to look within yourself and have insight into why you do what you do no matter what walk of life you are from. However, despite the need or desire for change, a person needs confidence and education in regard to employment. This requires community support, in addition to employment skills, they can fall back on. It is with this in mind that I make the recommendations below.

BRING BACK TRADES

The demographics of prisoners are changing. Many of the prisoners receiving sentences are younger and the crimes committed are changing. There needs to be more programing geared towards street oriented crimes similar to a brand-new group/program named *BREAK AWAY* introduced by Life Line in-reach counsellor Rick Sauvé.

GIVE GREATER ACCESS TO COMPUTERS

The technology available to prisoners is obsolete in comparison to what is in the outside world. Windows 2007 and floppy disk is what I am currently working from and it was recently updated to this. For prisoners to be able to reintegrate into society they need greater access to computers.

REPLACE THE NEW AND FAILING MODEL INTRODUCED AT JOYCEVILLE ASSESSMENT UNIT

Prisoners sentenced to terms of four years or less have the opportunity to complete their core programing in accordance to their correctional plan

while housed in the assessment unit. This is supposed to speed up the opportunities for such prisoners to apply for different forms of release by their scheduled eligibility dates. However, despite finishing their programing and being transferred to lower-security institutions, they are being warehoused and restricted due to lack of support from their new institutional parole officer (IPO). No matter what, prisoners are held back due to the caseloads the IPOs have. There should also be more program facilitators for other prisoners. Positive gains with respect to your correctional plan often comes down to how busy your IPO is and the current approach is failing many prisoners who are kept behind bars longer than necessary.

BETTER SUPPORT FOR PRISONERS WHO USE DRUGS

Several months back, a prisoner known to us here at Beaver Creek was released to a residence. He had previously been denied day parole at a halfway house. He wanted to be released to a place and have the support of being monitored. This young man lacked community support and family. He was an addict, yet you would not be able to tell he had such struggles. He played sports, was charming and funny, polite, respectful, stayed away from the subcultures and he presented as social. Following his eventual release without adequate supports he himself sought, he overdosed just ten days later and passed away. He should have been released to a halfway house or a treatment centre. This is a tragedy! This was on CSC's watch. R.I.P.

Dispatches from the Prairie Region

Stony Mountain Institution

William Allan Beaulieu

The following is my personal experience with respect to Correctional Service Canada's (CSC) human rights abuses under the Harper government's punishment agenda. The way I discerned this punishment agenda developing was similar to how other countries in the past would centre out a powerless and branded segment of society to oppress. They incite vicious hatred against the group and categorize them into one group of 'enemies'. This method conveniently separates them from the rest of normal society.

Once the Harper Conservatives were able to instill this into the public whenever some tragedy occurred in the communities, it would beat the justice and public safety drum loud. Often leading the correctional oppression against the criminalized was Mr. Vic Toews, who was Justice Minister from February 2006 to January 2007 and the Public Safety Minister from January 2010 to July 2013. He seemed to dislike all the federal prisoners whom he labelled as 'offenders', contributing to the division between the Canadian people and the incarcerated. He especially seemed to dislike the prisoners serving life terms for murder, which are sentences that can leave one behind bars indefinitely. He stated, along with many other Conservatives, that Canadian people convicted for murder should never be out in the community on parole, which sent the message to all community parole services across Canada to revoke and return to prison as many Lifers they could get away with under the guise of public safety. Not satisfied with the re-incarceration of many of these prisoners, the retribution continued. He dismantled Life Line, the only program CSC had for prisoners sentenced to life under some form of state supervision. His office then created policies to make it more difficult for Lifers to attain any form of release. First, the policy of requiring Lifers to go before the Parole Board Canada (PBC) panels for Escorted Temporary Absences (ETAs) contributes to the unnecessary delays and is used as a punishment stick. This practice also stripped the power of penitentiary wardens to approved ETAs to eligible prisoners who earned it. Re-incarcerating all those paroled Lifers also clogs up the rehabilitation and release process for the ones still working for freedom. It is bizarre to require a Lifer to repeat the ETA process when they have been in the community for extended periods of time. This glaring punishment policy needs to be removed, with wardens again having the power to approve medical, compassionate and re-socialization ETAs.

Another punishment policy against Lifers is the requirement to wait for five years to apply for parole after every hearing when you were denied it. The previous policy was all Lifers were to be reviewed every two years once they were eligible for supervised release. For example, when a prisoner was granted day parole to a halfway house and adjusted to society well, the next step for him or her after seven to eight months is full parole. The five-year waiting policy means the decision to deny you full parole will result in one having to reside at the halfway for another four to five years. Halfway houses should not be used in cases where Lifers have a home to live in and sustainable incomes to feed themselves. Reducing the periods between parole hearings would free up much needed bed space for paroled prisoners who need the help. For those still inside the joint, you can be warehoused for years. The institutional parole officers often fail to review and update Lifer files for parole review.

My next observation with respect to Harper's punishment agenda has to deal with the parole supervision in the community and parole preparation inside the institutions. This factual information is gleaned from my personal experience and from listening to other prisoners recounting their experiences of having their human rights violated by the staff working inside the Canadian prison gulags.

When I was on parole in the community, the Winnipeg parole service was quite determined to have me back behind the walls of Stony Mountain Institution. I have fought off several attempts to return me to the penitentiary by successfully overturning alleged parole breaches. However, I have also been returned to prison nine years past my parole eligibility date for failed drug tests associated with using my doctor prescribed medication and for having friendly chats with someone I was in a halfway house with that resulted me in being labelled as someone associated with a gang member. At Stony Mountain minimum, I am not allowed an ETA to pay and keep my driver's licence current.

As it is, federal prisoners can be returned to penitentiaries for minor breaches of parole. The various minor parole breaches could be for drinking a bottle of beer, being late for curfew or talking to anyone with some type of conviction or accusation. This social behaviour is the norm in a free and democratic society. Only if alcohol or drugs were involved in the offence(s) that landed you in prison is a parole breach appropriate. Instituting parole breaches for associating with accused or persons with criminal records when

most people I know have been in conflict with the law sets people up for isolation or failure. After all, it is not likely for many prisoners to get to hang out with the elites of society that have not been criminalized. This policy should only apply to those involved in gangs or criminal organizations. Parolees should be allowed to socialize with real people.

Under the Conservatives, I also witnessed parole breaches occurring because of a 'deteriorating attitude'. This is such an ambiguous label that allows a community parole officer to fabricate any reason to terminate your legal release. If you are an assertive and low-maintenance type of individual, your parole officer can resent that and assume they have no control over your life. They may think you are displaying an entitlement attitude to be treated with respect and dignity. These are some of the personal parole experiences I had and from what other prisoners related to me. For instance, if you disagree or stand-up to the parole officer for abusing their power over you, the end result is a negative parole report that states you have 'deteriorating attitude', which justifies revocation and re-incarceration. For my example, I took a higher paying job, a behaviour that was – for reasons unknown to me – perceived as a symptom of a 'deteriorating attitude' for simply making a positive change.

I was told by an institutional parole officer that their bosses instructed them to slow down the release process for Lifers. While I was sceptical when I heard this, I believe this is also true from what I saw in minimums. I did time in Saskatchewan and Manitoba penitentiaries mostly. Some guys wait excessively long time to start ETAs. I know one fellow who has waited for over five years for one. In other cases, paper work has been lost or misplaced. Sometimes, the institutional parole officer fails to follow the guidelines of their duties. In the process, proper rehabilitation procedures get put on the back burner and prisoners stay locked up unnecessarily. I have seen and heard of institutional parole officers taking a prisoner not serving a life sentence before the parole panel about thirty days before their statutory release date to give the illusion that prisoners are being paroled efficiently.

What needs to change are current parole case work procedures, which ought to be recorded to ensure that the rehabilitation process is being facilitated by CSC, as well as engaged in by prisoners. As it is now, institutional and community parole officers are given too much trust and power to assess and manage prisoners and the case files. There should be a deterrent to prevent them from abusing their power and duties of their

office. Also, these recordings would serve to protect the parole officers from unfounded grievances from prisoners, while safeguarding the human and legal rights of the criminalized. The current setup is one whereby you have the prisoner versus the parole officer's word whenever revocation or any case management decisions have to be made. Due to bias that sees trustworthiness given to a CSC official over a prisoner who is labelled as untrustworthy, most of the time, people will automatically take the word of the former. Both parties have to be held accountable and be responsible in the rehabilitation process for it to work properly and fairly.

Lastly, I wish to touch upon the deteriorating situation with respect to human rights and the rule of law within CSC institutions where guards have total control over different facets of penitentiary life. When you go inquire about a matter at the visits and correspondence (V&C) department you often find a guard working there who does not have the time of day for you. It would be akin to going to your community post office to find a disgruntled uniformed postman working there. They have opened my privileged correspondence (e.g. letters sent to the House of Commons in Ottawa and legal offices). Papers associated with a human rights complaint were lost. I can only assume this takes place across the federal penitentiary system, whether in V&C or elsewhere in institutions. The unspoken policy is to treat us merely as 'offenders' that the rest of society despises. The obvious contradiction with this hateful attitude and general mistreatment of prisoner is, on one hand, they appear to be part of the correctional treatment process with programs and case work to get us ready to part of society and to uphold the values of it. On the other hand, these abuses and their mistreatment defeat that noble aim. When you are being disrespected and viewed as something less than a human being, the motivation to change and accept the social and human values of society can be difficult. The carrot should be put back, alongside the stick is my point.

In conclusion, the stern operating message that is needed from the current government to all its employees is that this hateful behavior towards prisoners must stop immediately. They are paid to be impartial, uphold the laws and not abuse our human rights. The guards need to return to their proper roles of preventing escapes and violence. Bring back regular staff to retain other operational positions of the institutions. This will remove the current police state mentality. Also, it will provide the opportunity for prisoners to interact with other community members from society. The managers of

parole officers and general parole officers have to be better monitored to insure their offices are fair and properly assisting those that are part of their caseload. In fact, the current government needs to weed out all the staff refusing to follow or uphold the policies and guidelines of the correctional treatment process. The current abusive policies left over from the previous government are hindering the rehabilitation process, creating an unhealthy penitentiary environment, which makes it toxic for all concerned to do time or work there. Things have gotten so bad, CSC's mission statement that once hung at admissions and discharges was tossed into the trash can at Stony Mountain minimum. This is not how things should be.

Saskatchewan Penitentiary

Anonymous Prisoner 15

I am an Indigenous prisoner serving a life sentence in Saskatchewan Penitentiary past my parole eligibility date. Years ago, I was diagnosed with cancer. After the operation to remove a tumour I was left with disabilities, including loss of memory and sight. I was in a wheelchair for several years. After a lot of physiotherapy, today I can walk with some balance issues. I cannot run.

While I was at Bowden Institution in Alberta I was granted cultural escorted passes by the warden. I had many successful Escorted Temporary Absences (ETAs) for a year. Then the Harper Government brought in a law requiring Lifers to have approval by the Parole Board of Canada (PBC) before being able to go on passes. I have been waiting for almost two years for approval to go on passes, with one excuse or another preventing me from continuing my healing journey. Why can the warden no longer be allowed to approve ETAs? They did it before Harper's punishment agenda was upon us with successful results the vast majority of the time.

I accept my life sentence for being involved in murder. For the past number of years, I have changed my life – no violence, drugs or involvement in prison subculture activities. I have dealt with my childhood trauma, my residential school abuse issues – the violence, drug use, negative thoughts and feelings that were symptoms of my sickness arising from my childhood trauma. I am involved in my culture, I am spiritual and I pray every day. I hope that I am able to take advantage of the cultural ETAs provided by the Elders without being assessed by people at the PBC who do not know me.

Saskatchewan Penitentiary

Anonymous Prisoner 16

It is my understanding that the Government of Canada has begun to assess the criminal justice system as a whole. There are many problems with the system as it is now, and while I understand that no human-made system of action is completely without problems, I feel that the number of problems within it and their impacts are considerable, and could be avoided. Problems plague this system all the way from the first moment of arrest up to the end of parole on the street.

I am doing a relatively short period of incarceration, but the stories and instances that I have heard described to me from a multitude of differing sources lead me to believe that almost the entire system is corrupted, from the abuses of power by law enforcement to administrative abuses of power once incarcerated. The problem is that such stories rarely get through the mail as all correspondence is read – as this letter no doubt will be – with the chance of it adversely affecting your period of incarceration being very high. Not many will take the threat lightly, and those whose stories you desire to hear the most are the most vulnerable to abuse. Those prisoners serving life sentences can be given serious setbacks for seemingly arbitrary and petty reasons.

If you are serious about evaluating and subsequently changing the nature of the criminal justice system then I implore you to visit each prison and have closed-door interviews with prisoners as this is the way you will receive the most unbiased and uncensored information. There are stories to be heard and tales to be told, which the medium of pen on paper does not do the reality of our accounts justice. I ask that you come to Saskatchewan Penitentiary and interview prisoners from the maximum-, medium-, and minimum-security units. Only then can you get a full picture of life behind bars.

Thank you for your time, consideration and the acceptance of this task. It is a worthy one.

I will begin by stating the obvious. Since all correspondence, except those of a legal nature are scrutinised, you should expect, on some issues, responses may be muted. For this reason, I will keep my observations and suggestions targeted to larger thematic areas. I am sure that you will receive many letters addressing issues with guards, the medical system and so on. As such, I am bringing other ideas forward.

Imprisonment is a business, and as such, those towns, cities, and municipalities which derive a net benefit from the proceeds of incarceration are more interested in their benefit rather than rehabilitation. This then turns our justice system into political football. There is hardly a politician out there who would stand up and try to find ways to reduce our prison population by fifty to seventy percent. Yet, that is what we should be looking at doing, particularly when a good number of prisoners are people with addictions and psychological issues. These issues are dealt with primarily through medicating prisoners. What we need are holistic rehabilitation centres, rather than penitentiaries. Those centres would revolve around addressing addictions (i.e. alcohol, drugs, psychological, etc.), and preparing prisoners through education and vocational training to reintegrate into society. Those centres should be considered for any prisoner, especially for those where violence is not considered to be a concern and for anyone returning to the community within five years.

The parole system is broken. Far too much power rests in the hands of Parole Board Canada (PBC), and its dependence on the bias and prejudices of its officials.¹ PBC should either be removed or its power diminished greatly (i.e. to issues related to those serving lengthy sentences), so that parole officers and psychologists who are professionals, and spend their time directly with prisoners are empowered to release them conditionally. As it stands now, a prisoner who has positive reports from all members of their CMT (Case Management Teams) can be denied parole after a thirty-minute parole board assessment. Considering that little professional training exists for PBC members, it hardly seems appropriate to empower them as much as we do. Another area where the PBC could be utilised is to act as a review where a prisoner feels that an error has been rendered by their CMT who would, under my proposal, have more responsibility with respect to the granting of parole.

I am also troubled by the number of restrictions placed on those who are granted parole. Often people wind-up coming back into the penitentiary

system for breaching their conditions. I can understand the desire to keep prisoners away from environments that may cause them to re-offend, but when conditions are arbitrarily applied several years after release the likelihood of breaching one's conditions goes up. Perhaps a change in thinking is required. My suggestion would be that one's conditions can only include restrictions that are directly related to the offense. For example, if alcohol was not attributed as a cause of an offence then why put a restriction on a parolee that they cannot consume alcohol?

We as a society must understand how fast technology is moving and how it affects each of its segments. Consider that in today's world any criminal record against someone will live on forever. There is no 'pulling up stakes and restarting' somewhere else as you could have in the pre-internet age. In my case, the police tweeted my arrest and the charges within eighteen hours of being charged. Part of rehabilitation must allow a person the opportunity to not have their worst actions follow them forever. For this reason, I am advocating that on a first offence that does not include violence and is punished with a sentence of less than five years that no record can be accessed by the media once the warrant has been completed. These records should be frozen, that is to say that no one can access those records unless they are related to another offence and are required for sentencing. Essentially, the first offence is a non-recordable if it meets the parameters noted above.

The penal system places far too much emphasis on punishment, choosing to spend its resources on warehousing prisoners, rather than rehabilitating them. A change in philosophy is required directed to exiting prisoners slated to re-enter society capable of finding jobs and understanding how to deal with stress. We need to consider a simple overhaul. The longer we keep an individual in prison the less chance that we have of reintegrating them functionally into society. Everyone in prison has some level of depression, anxiety and stress. It is not only the confinement, it is the treatment. Guards have a master-slave view of their position. As such their own psyche can make for adversarial conditions. For example, after 9:30pm stand up count the guards come around every two hours. On paper, these rounds are to ensure that prisoners who are sleeping are not in need of immediate health care. So, as you are sleeping, it is not unusual for a guard to shine their flashlights into your face and kick the door. They say that this is necessary in order to apply CPR if necessary. This is ludicrous of course since they would actually have to arrive at the exact moment that you expired in order

to have any realistic chance of applying CPR and saving you. What this policy does is wake people up every two hours, thus depriving them of a good night's sleep. At the same time as the penitentiary claims this as a safety protocol, they would not equip each housing unit with an AED unit.

At this point, it may be best to continue with this letter in an abbreviated fashion, otherwise I would fill pages upon pages. Here, then, are the points to consider:

- A “different” type of prison situation is required for dealing with gangs. Mixing these prisoners within the general population needs to be reconsidered.
- Rather than mandatory minimum sentences, our justice system needs to consider alternative options. Persons who have not committed violent crime would be better off being referred to mental health, addiction or similar services as required. Prisons offer little in terms of correcting behaviour related to these issues.
- I suggest that, as part of the review, you should focus on looking at other penal systems that treat prisoners with a level of dignity (e.g. Norway).
- Guards should be required to undergo a psychological assessment at least once a year. Honestly, I have seen too many guards who are bullies who enjoy berating and belittling prisoners. I cannot imagine any other workplace that would tolerate such behaviour. Regardless of my current imprisonment, I am a citizen and deserve to be treated as a human being, not as a punching bag or a whipping post.
- I will end with a broad statement in regard to health care and mental health care. Both are in serious need of overhauling. There are insufficient psychologists available to handle the needs of prisoners. They seem to exist only for the purpose of serving the institutions requirements, not ours or those of the communities to which most of us will return.

I trust you will find my observations useful. I do not believe that much, if anything, will change. However, I have honestly added my thoughts in the hope that other voices have spoken as well.

ENDNOTES

- ¹ According to the 2014/2015 performance monitoring report for the Parole Board of Canada, parole grant rates for the various regions are as follows: In 2014/15, all regions reported increases in their federal conditional release offender populations: the Atlantic (+5%), Quebec (+4%), Pacific (+4%), Prairie (+2%) and Ontario (+1%) regions. However, in the Quebec region, the federal day parole offender population decreased in 2014/15 (-5%), the federal full parole population remained relatively unchanged (0.3%), while the statutory release population increased significantly (+16%) compared to the year before. In 2014/15, the highest proportion of Aboriginal offenders was in the Prairie region: 47% of federal male prisoners and 64% of federal female prisoners in the Prairie region were Indigenous. By comparison, 33% of federal male prisoners on conditional release and 42% of federal female prisoners on conditional release in the Prairie region were Indigenous (Parole Board Canada, 2015). Parole Board of Canada (2015) *Performance Monitoring Report 2014/2015*, Ottawa. Retrieved from <https://www.canada.ca/content/dam/canada/parole-board/migration/005/009/093/005009-3000-2015-en.pdf>

Drumheller Institution
Anonymous Prisoner 17

First of all, I would like to take this opportunity to thank those who are making efforts to bring positive change to how the justice system treats people convicted of an offense. I do appreciate it. In my humble opinion, there have been many changes in how the Correctional Service Canada (CSC) treats the individuals that are entrusted to their care and those changes have not been to our betterment.

The increase in the penitentiary population has greatly affected all operations within the institution where I am housed, from security to recreational activities. As the population has grown, institutions are struggling to fulfill their responsibilities in meeting the individual's needs with respect to health care, mental health care, programs, recreation and so forth. For example, when this institution had a population of four-hundred, the waiting list to see the dentist was maybe three months at the most. Now with a higher population, the waiting list to see the dentist is closer to twelve months.

While the increase in the population has resulted in the hiring of more security personnel, other resources have dwindled, including with respect to parole preparation and social programming. As the per diem that is allotted to feed us has not increased in many years, the cost of food has continually increased. This has led to a couple of issues – the quality and portions of food have decreased.

There has not been an increase in the prisoner pay system since the 1980s, yet we lose a substantial portion of our remuneration to cover our food and accommodations, which sometimes need to be shared. On top of that we have to pay for the prisoner telephone system, stated as an administration cost. I know of some guys who never use the telephone or have a phone card, but they are still deducted 8% of their pay every two weeks for this service. I have heard many guys complaining about going to sleep hungry. Less money to spend in the canteen, along with the poor quality and quantity of food serviced in kitchen, has led to short tempers with violence erupting from individuals being hungry. This has increased the number of guys being muscled for their canteen or “taxed”.

Another issue is that there is a lack of halfway houses in the communities. There are guys who are waiting anywhere from three weeks to two months before a bed becomes available for them to start their day parole that has been granted by Parole Board Canada. Here, we have part of the justice

system stating it is okay for you to be back in the community, but the community does not have the resources for this.

Where relevant, I believe that there needs to be a balance between programs to help one become an emotionally balanced person and educational opportunities to become employable. Over the years, CSC's focus seems to be to fix the individual (i.e. their emotional or addictions issues) to the detriment of training for work that will allow them to survive upon release. To me, this makes no sense – I can control my emotions, but if I cannot put food on the table, I am put in a position where I may need to turn back to crime to put food on the table, but I will be polite about it! I remember thirty years ago when a prisoner could become an apprentice in many different fields and received more than just a high school diploma.

While CSC states the community support is important, it seems that correctional and parole officers try to discourage citizens from being a support in our lives. I have heard many stories about the poor treatment visitors experience at the hands of staff, and how parole officers describe an individual (prisoner) to family and potential employers affecting those relationships in a negative way.

The central purchasing system is a monopoly and is problematic. I wonder how all communities where federal penitentiaries are located have been impacted by this, and whether local stores and employees working in them have lost income as a result of it. As a Canadian citizen, I have lost my right to choose which company I would like to support or the brand I would like to wear. To my understanding of the law, as a prisoner I have only lost my right to freedom, but I retain all my other rights as a Canadian citizen. For Conservatives who promote the free market, I ask, what happened to competition? The change was passed as a way for CSC to enhance institutional security, however, that makes no sense as everything is subject to search (e.g. by a dog) when arriving at the institution.

In conclusion, I pray and hope that this information will be helpful in correcting some of the issues federal prisoners face on a daily basis.

With many decades of life experience in the Canadian penal system, I was encouraged by others to outline my life journey with Correctional Service Canada (CSC) and the Parole Board of Canada (PBC) to highlight some of the shifts that have occurred in the federal penitentiary system over the years.

ON CONDITIONAL RELEASE

I was convicted of murder as a teenager. After a decade behind bars, I was released on full parole, enrolled in university and got a degree, got married and had a child. I started a business, but then as a result of a family dispute where I threatened court action to maintain custody of my child, I became targeted for false complaints about to my parole officers. My parole was subsequently suspended and revoked on a number of occasions. I was later told by CSC and PBC officials that this should not have happened.

At one point, I was released on day parole and several months later I was again granted full parole. This is where my life experiences with Prime Minister Stephen Harper's policies crossed paths. During my parole hearing, I admitted that I smoked a joint to help with the stress of moving from a small town to a large city, leaving my family and friends behind, and starting all over again. I was given a "substance-abuse condition" even though the rules state that conditions could only be imposed if it was a "risk factor" that contributed to my offence, which it was not. I was told by an official that the imposition of this condition was a direct result of the federal government's 'tough' stance on marijuana.

While on full parole and issue free, I was suspended for an alleged assault and I was later revoked in February 2014 without a hearing. The charges were later dropped in court as the person whom claimed that I assaulted him admitted that the accusations were false and that he was the one whom had assaulted me. I had requested that my revocation hearing be postponed until after my court date because I knew that I was innocent. However, I was not granted this request. I was told that the federal government had put in place rules that if a prisoner is charged with a new offence that their parole is automatically suspended and revoked.

After returning to prison, I grappled with memories of childhood abuse I experienced. As I tried to access counselling, I was informed that because of CSC cutbacks mandated by the Harper government as part of their austerity

plan there were no trained counsellors I could speak to. In 2014, I met with a contract psychologist for a risk assessment. She recommended that I be transferred to the minimum-security unit, attend church via Escorted Temporary Absences (ETAs) for three months and then be released. My faith was identified as an important factor in my being crime-free for over four decades. I filled-out the transfer paperwork and should have been transferred with a couple of months, yet the process took five months. During this period, I was given a new untrained parole officer who could not handle the work load and went back to being a correctional officer (COII). My files were a mess and within a half a year I had five parole officers.

In 2015, I was transferred to the Minimum-Security Unit (MSU) of Drumheller and my new parole officer applied for an ETA to church at per the recommendation of the psychological risk assessment. However, there was a new problem. The Conservative government imposed a new condition on people serving a life sentence, whereby the power to grant ETAs was taken away from the Institutional Warden. That power was transferred to PBC.

During a parole hearing held in 2015, the board members denied my case management team's request for faith-based ETAs to deal with issues I had experienced in my life. In their decision, PBC members noted:

Your release plans for the proposed ETA's are aimed at assisting you in rebuilding your community supports through church activity. The Board notes these are similar to what you have done in the past and yet you have been suspended and revoked with these in place. The Board has concerns that this plan will not result in future success and also given your history that your involvement in these will not contribute to public safety at this time.

To support their decision, they made the following erroneous statements: that I was revoked in for being involved in a "hit and run accident"; and that I had a substance abuse condition, which I violated a year after it was imposed. After a file review by my case management team concluded that the information quoted by the PBC was erroneous and misleading. The Manager of Assessments and Interventions (MAI) instructed my parole officer to write to the PBC three times to correct the facts, which were refused. Finally, I was instructed to appeal the PBC decision, which turned out to be a waste of time. The Appeal Division – an in-house body – denied my request, sending me to the Access to Information and Privacy department, which in turn sent

me to the Office of the Privacy Commissioner. They in turn instructed be to again contact the Access of Information and Privacy department of CSC looking to start the process to correct the erroneous file information. This process so far has taken more than a year and a half, and the erroneous issues have still not been resolved. I was told that because of Harper-era cutbacks, correcting erroneous file information, which likely needs to be remedied if I am ever to be released, can take forever. With a parole hearing scheduled with the support of my institutional case management team, the uncertainty I am living with is unjust.

ON PRISON LIFE

Beyond the issues with respect to conditional release noted above, my stay in Drumheller Institution has brought to light several dysfunctions in the federal penitentiary system that have emerged as a result of Harper-era laws, policies and practices.

One area of profound change is with respect to trades and education. During their time in office, the Conservative government created a false illusion to the public that you could get a trade while in prison. When I was first incarcerated you could access skills training in the following areas: auto body, auto mechanics, electrical, plumbing, sheet metal, machinist, cabinet making, welding and painting. Now, only a handful of prisoners can access welding and pre-carpentry. The biggest complaint that I hear amongst prisoners is that they cannot get a trade while in prison. Many leave this place almost as they have arrived, not able to get a job. The system no longer cares if you can get a trade while in prison as long as they can show that you have taken their psychological programs, which most prisoners see as a waste of time. At one time, you could get help taking university level courses like I did. Today, only GED is on offer. As a result, many just return to the penitentiary because of no jobs and/or a lack of education where they are just mandated to take another psychological program.

A related issue is the fact that the Harper government removed employment incentives in the penitentiary so that you could save money for when you got out. People are now leaving prison with only \$80 to their name and no chance of getting a job. One person that I know asked the PBC to spend the last six months of his sentence at a halfway house so that he could save money, find employment and find a place to live, while under

the supervision of CSC. The PBC refused and sent him into the community with no money, no job and no place to go. How many days do you think he lasted, just to return to prison at a cost of more than \$100,000 a year to taxpayers? It is as if the system is just one big make work project for them where everyone else pays the bill.

Another area of change is drug urinalysis for marijuana. At one time in the penitentiary, guards were not concerned about someone smoking marijuana because it kept everyone calm. However, with the previous federal government's anti-marijuana agenda, the system has cracked down on the substance, causing prisoners to turn to harder drugs because they stay in your system for much less time. This, in turn, has created a new generation and class of drug addicts leaving the federal penitentiary system. This causes the spread of HIV/AIDS and Hepatitis-C to their families and communities.

There appears to be very little accountability toward inaction by staff members in the system. For example, every forty-five days the rules state that you are supposed to meet with your COII, to go over issues that are occurring your case. I have gone eighteen months without such a meeting. Under the Harper-mindset of getting 'tough' on prisoners, people are not doing their jobs and CSC management appears powerless to do anything about it.

I hope these observations assist others in understanding what happened at CSC and PBC during Prime Minister Stephen Harper's reign.

Drumheller Institution
Anonymous Prisoner 19

Having lived on this earth for more than a half-century, I have spent over two decades behind bars, despite being eligible for parole for more than 10 years. In my time in the federal penitentiary system, I have seen so many changes and most of them not for the good.

In recent years, we are now having to additional pay room and board, which is deducted from our institutional pay every two weeks. As well, we have lost our dollar a day work incentives through CORCAN. Our chances for a better education are almost non-existent in the Prairie Region, aside from being able to get a GED. Our health care is lacking and all the doctors seem willing to commit to in terms of care is prescribing an assortment of pills, including for mental health issues – simple zombification.

We need better support for our loved ones while we are incarcerated, such as family programs. We need better support for mothers and family that find themselves suddenly alone when we are incarcerated so that they do not have only welfare to get by.

Anything that we have to purchase through canteen or catalogue purchasing comes with a considerable mark-up, so unless you are wealthy on the street, you are a beggar behind bars. Even up at the minimum where I currently am and have been for the last number of months, we have to buy our groceries from a paltry weekly allowance with a mark-up from the wholesaler and supplier to the institution.

I hope you can use this information for the betterment of all concerned.

Dispatches from the Pacific Region

Mission Institution

Anonymous Prisoners

In speaking with key members of our resident population here at Mission Medium Institution, we hope our response provides relevant insight into just how severe the current ‘correctional’ system has deviated from how we believe real corrections, justice and true human rights interests fit with the ‘Canadian values’ identity of this country. As the Harper government gutted CSC, they in effect created a series of warehouses for the incarcerated and a set them up for failure model of release. Coming up with the first five of our top ten areas of reform that are needed was easier than the remainder. In fact, curbing it just to ten was more than difficult.

1. Pay Structure

- a. Per diem pay rates dating back to the 1980s – there has to be a way to implement an increasing pay structure based on job skill sets and accountability so that residents can again *save money* for eventual and successful release.
- b. The additional 22 percent deduction for room and board, along with the 8 percent deduction for phone system administration instituted in 2014 needs to be abolished.
- c. Ineffective employment programs and subsequent performance reviews need to be reviewed, along with the cash grab that ties a resident’s pay scale (performance) as Commissioner’s Directives 710-1 *Progress Against the Correctional Plan*¹ and 730 *Offender Program Assignments and Payments*² lack clarity.

2. Food and Beverage Policies – “Cook Chill” Meal Plan

- a. Current food and beverage policies, which were modified in the name of cost savings, do not meet Canada Food Guide criteria.
- b. The portions have been cut and served by stewards who openly speak about being disgruntled and underpaid, which makes food lines stressful.
- c. There is no training – vocational, safety or otherwise – in the kitchen as everything has been cut to the bare bones. A kitchen where actual skills are taught is needed.

3. “Prototype Catalogue” – Sole-source Supplier Model

- a. The new sole-source supplier model has resulted in price gouging, with significant mark-ups (e.g. a television at \$215 in the catalogue

can be purchased at Walmart for \$89 or running shoes at \$118 that can be bought in any store outside for \$49 – how is that fair market value?). In response to grievances on this matter, we have been receiving a form letter stating that prisoners “are receiving fair market value prices”.

- b. We have access to poor, low-quality selections that ship inconsistently or not at all, increasing frustrations for us and our loved ones.
- c. Local businesses and community support has been cut-off, leaving us without a means to make contacts and offer support that are valued on paper in our various reintegration plans.

4. Correctional Management Team (CMT) Process and Support Model

- a. There is little case management outside of timelines. Correctional Plans lack any reality and teeth in that they act more as a record of ineffective programs. We need tools to help us move forward into a more productive lifestyle as a contributing member of society, which requires updated programs with accurate facts.
- b. There are few opportunities to apply goal setting or model the behaviours using the very skills taught in our Integrated Correctional Program Model (ICPM) programs.

5. Vocational, Educational and Employment Models

Simply, the model is broken. A limited number of prisoners get basic vocational skill ‘workshops’ (e.g. first aid, landscaping theory, core construction basics, etc.). There seems to be *no* real integrative plan of action. Rather, like so much of what we see now, it is all just shoot from the hip, and repeat the failing programs and policies so someone, somewhere can show they have done something. Educational programs are thin at best. This is such a major component of life success and is most likely a major reason for a vast majority of the incarcerated populations backstory (how and why we have arrived in prison), yet it is always cut (sometimes first) with *no* real plan of action. Why? We need to begin focusing on skills for release in this new job market. Educational programs and training that reflect the society we will be returned into need to be implemented. Otherwise, what is the option (recidivism usually with escalation)? There could be more real opportunities inside

these walls through employment that will build skill sets necessary for success outside. Instead, with most jobs CSC chooses to placate the residents with meaningless opportunities. We fully understand routine and basic work ethic is important. We get these types of lower skilled opportunities may be a starting point, but what about an action plan that a resident can see movement forward and work toward achievement as opposed to simply existing throughout their sentence with no real plan? Where does the term ‘Correctional Plan’ come into play? Is it just to “maintain employment”, nothing more, nothing less? How does this really help? Putting a plan together with the prisoner would require not only regular meetings with them, but also breaking down the silos and communicating with CSC colleagues and coordinating between departments.

6. Healthcare Model (Overall)

- a. There is little tangible mental health and addictions support.
- b. Eye care has been cut to the point of real concern.
- c. Basic dental care and costs post-release must be increasing, because the ‘care’ offered inside is pathetic.
- d. The failed mental health and addictions policies lead the individuals with immediate needs to monopolize healthcare time, leaving the vast majority of other residents with limited or no time. When care is available, the medical staff are highly suspicious of prisoners or turned off to any listening or offering real compassion – few get served.
- e. Make no mistake, healthcare is horrendous today. Men with cancer, blood in their urine and stools (for months at a time), diabetics and other health based / nutritional diets are ignored, and we could go on.

7. Ineffective and Inconsistent Policies, with a Lack of Timely Consultation with Prisoner Representations / the Inmate Wellness Committee – Commissioner’s Directives, Standing Orders, Security Bulletins, and Guidelines

- a. The approach to policy changes involves little consultation with prisoners.
- b. Policies are constantly changing with everything seemingly *very* off-balance (e.g. just think about NHQ policy being constantly

modified by RHQ and/or the individual institution), which increases tension and confusion at the institutional level. We live in a world of “alternative facts” within CSC institutions.

- c. Old and new changes often contradict each other.
- d. Attempts to deal with small portions of the penitentiary population through policy changes impact the whole, leaving no room for individualized planning and support.

8. Integrated Correctional Program Model (ICPM)

“Integrated” programming is premised on the idea of combining participants based on need. However, more often than not you have residents put together for personalities (i.e. tolerance), which obviously needs to be considered, but specific program needs must be paramount. This is a modular program and as such facilitators should be able to build productive groups with very specific program needs (e.g. addictions) using the modules.

9. Visits & Correspondence (V&C) and Private Family Visits (PFV)

- a. Both of these areas are considered key components of the rehabilitation and reintegration process, yet because of the historical contraband issues tied to this entry point into federal institutions, the resulting policies and Standard Operating Procedures continue to restrict (for *all*) and now new restrictions are bordering on illegally infringing on the rights of the incarcerated, *but also* the families and friends who visit (e.g. CPIC and criminal record checks, and forced visitor applications to verify relationships).
- b. There is *no* budget to support the maintenance of institutional PFV houses as this is left to the Inmate Welfare Committee. Given the constantly decreasing earning potential and ability to save these dollars, PFV visit opportunities are also decreasing. This very important component of our rehabilitation and reintegration plan is being slowly made smaller and smaller, thereby decreasing the incarcerated person’s ability to repair, maintain and build upon key inner circle relationships for their eventual release. There must come a point where CSC does their job as opposed to continually muddying the waters of policy and staying the course of becoming a simple warehouse where the incarcerated just ‘do time’.

10. Lifers' Programming

- a. A large portion of the incarcerated population are Lifers (the majority of prisoners at Mission Medium Institution) and many others are doing long-term sentences of ten years or more. Lifers programs need to be reinstated (e.g. Life Line) and their initiatives need to be adequately supported. There is a Lifer's Resource Strategy (a four-module program), but CSC does not recognize, nor provide any resources for its proper implementation (budget again), even though they produced the program in collaboration with the community agencies supporting the penitentiaries across Canada.
- b. Establishing Lifers living units where prisoners have the ability to manage their own meals, budgets and the like should exist when someone enters medium-security, which would go a long way in building institutional adjustment and quality of life.
- c. Like most of the institutions across the country, *every* institution should have a specific space for Lifers. Here at Mission, for example, we have *nothing* that is Lifer specific. The men here have very unique needs and these are not being addressed. Even the Lifers group is hindered on a daily basis to build positive directions at this institution for the more than 180 men that live within these fences.

In closing, we want to address that there is a serious split in the staff and management when it comes to how to deliver the mission and values that reside in Commissioner's Directive 001. There are still a serious number of staff that privilege 'coercive corrections' (punishment) that adopt the "take, take, take" model. The other side of their teams believe in more of a serve your time and build new skills to reduce recidivism model. This latter group of employees believe in a more conversational approach, while ensuring basic security and rules are followed, and they should be empowered as public safety and prisoner reintegration are better served.

Currently, we are still experiencing the tail end of the Harper government's agenda characterized by *cost-reduction driven 'corrections' as opposed to a focus on reducing recidivism rates*. This just seems wrong on so many levels. We would love to be a part of any focus group or planning opportunity to build a more collaborative and productive approach to corrections in Canada. There are many examples from our past that will show some of

the best practices and many that we can rule out as not workable solutions. The bottom line is that the incarcerated human beings living with federal penitentiaries today are some of the best voices when it comes to reality and what works versus what does not.

ENDNOTES

- ¹ Please see: Correctional Service Canada (2017a) *Commissioners Directive 710-1 Progress Against the Correctional Plan*, Ottawa. Retrieved from <http://www.csc-scc.gc.ca/lois-et-reglements/710-1-cd-eng.shtml>
- ² Please see: Correctional Service Canada (2017b) *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>

Mission Institution

Trevor D. Bell

I wanted to take this opportunity to express some long-running concerns that I have in regard to the current status of the Canadian criminal justice system. More specifically, I wanted to bring direct light to the dilution of the trial hearing process, the desecration of Correctional Service Canada (CSC), the partisan behaviour within Parole Board Canada (PBC), and the imminent peril to society that is resultant from the draconian actions of former Prime Minister Stephen Harper and his Conservative colleagues.

First and foremost, I feel it necessary to disclose my personal history by way of background to contextualize my arguments. I am a federal prisoner currently housed at Mission Institution serving a Life sentence for second degree murder with parole eligibility set at fifteen years. Prior to this offence, I did not have a conviction for any criminal offences within Canada. However, I did incur one conviction in the United States of America in 1998 when I was 23 years old for possession of narcotics. I subsequently served three years and three months within the U.S. federal prison system prior to receiving a Treaty Transfer back to Canada in 2001.

I am a well-educated, articulate and affable individual who was raised in a pro-social family environment. I have two loving parents and one brother who steadfastly support me in my endeavours with respect to my rehabilitation and future reintegration into society as a law-abiding citizen. Furthermore, my family support network approves of my advocacy work on behalf of all prisoners wherein identified deficiencies within the criminal justice system need addressing.

It is as a result of my rather unique personal history with respect to my incarceration within both the United States and the Canadian correctional systems that I have a defined perspective on the current status of the environment upon which I currently reside. I have both witnessed and experienced first-hand the United States system of incarceration wherein the primary goal is retribution and retaliation, where the guiding principle is punitive in nature. This is not a system upon which Canada should be modelling itself. Unfortunately, Prime Minister Harper and his colleagues have demonstrated through their actions over the past number of years that their ideology is sadly in line with that of the United States. Mass incarceration, lengthy sentences and punitive policies do not make for a safer society. In fact, they produce exactly the opposite results.

Within the last couple of years, the failure of such a system has been recognized by factions within the American penal system. The State of California almost went bankrupt trying to maintain the overflowing capacity of such a flawed system. Several individual states, along with the U.S. federal government under former President Obama, were in fact moving away from such a defective penal system. In defiance of a substantive amount of empirical data, common sense, as well as the recent actions of the various U.S. penal jurisdictions, Prime Minister Harper continued to sail this country head long into a storm upon which the entire country may sink and never recover in the long-term should the current government not take the necessary measures to change course.

I am cognizant along with all prisoners of the concerns within society, amongst victims and their rights within the context of the penal system. Victim empathy, remorse, restorative justice, and risk management are all factors that guide me throughout the trials and tribulations of daily life within the federal penitentiary system. However, if the paramount consideration within our criminal justice system is the safety and security of citizens, then the very system we are currently operating under is among the greatest threats to the very citizens it was designed to protect. Simply put, you cannot lock a human being away for months, years, or decades while repeatedly abusing them and expect the end result to be anything but negative. The Harper government continuously espoused rhetoric with respect to “standing up for victims”. The sad fact is that through their actions they will undoubtedly be the cause of future victims. All individual prisoners must ultimately be held accountable for their personal actions, however, releasing individuals into society after years of abuse with no realistic skills for employability, a complete absence of technological aptitude, as well as absolutely no social acumen whatsoever is most assuredly a recipe for disaster.

The precipice for the creation of this letter was initiated through countless hours of discussion with my fellow residents. Contrary to the rhetoric that has emanated from the Conservative Party of Canada over the years, there is a large portion of the prisoner population that is highly articulate, educated and has considerable insight into the modifications required to affect positive change within the Canadian criminal justice system. Simply put, we are not three toed, one-eyed monsters that live under the bridge. It is my submission that any government would be remiss in failing to access the plethora of knowledge held by the very residents contained within our correctional

facilities. I am aware that it is a political ‘hot potato’ whereby engaging in a consultation process with the criminalized can be misinterpreted by other political parties as being ‘soft on crime’, which most assuredly no governing party wants. With that being said, it is my submission that heading into a comprehensive review of the criminal justice system with itemized and specific information directly from the incarcerated will undoubtedly avail you with an identified advantage in this area of social policy.

In light of the forthcoming review and study into *human rights* within our criminal justice system, I felt it was my duty to systematically address both the positives, as well as the frailties within the current structure of the Canadian penal system. In order to ensure that each topic receives the thorough attention it so justly deserves I will proffer the information in the following four parts: Trial Process/Sentencing, Correctional Service Canada, Parole Board Canada and Legislative Acts-Repeal.

PART I: TRIAL PROCESS AND SENTENCING

Mandatory Minimums

The immediate cessation of any and all mandatory minimums within the Criminal Code of Canada is necessary. Empirical data shows that longer sentences do not make the public safer and only serve to make harder criminals who will eventually be released into society.

Life Sentences

The immediate cessation/commutation of mandatory Life Sentences for individuals convicted of second degree murder is needed. This section within the Criminal Code of Canada should be changed to reflect a fixed term with a maximum sentence not exceeding 12 years of custodial time followed by a period of supervised release in the community to be affixed by the courts. This model is highly successful within several Scandinavian countries and surely has led to a far lower rate of recidivism. It is extremely rare for Lifers on parole to ever commit another indictable offence. Simply put, the Canadian taxpayers spend millions of dollars supervising individuals for the rest of their lives who statistically will never commit another offence. Statistics have shown that the vast majority of the criminalized convicted of second degree murder were crimes of passion or situational circumstances; there was absolutely no pre-meditation, hence a decreased risk to the community.

Legal Aid

Although I recognize that this issue is within provincial jurisdiction, it greatly affects individual's access to justice. Funding for legal aid needs to be vastly increased to reflect the current need within the judicial system. The federal and provincial governments need to partner on a funding model that ensures all accused have a reasonable opportunity to an adequate defence and appeals.

Automatic Appeals

Upon the imposition of a Life sentence there should be a provision within the Criminal Code of Canada that the convicted person be granted an automatic appeal funded by either Legal Aid or the Attorney General, similar to section 684 of the Criminal Code. After all, the loss of a life via sentencing merits maximum protections to prevent injustices.

Elimination of Deals

The practice of Crown counsel and/or the Attorney General providing financial remuneration and/or a reduction in sentence in exchange for testimony must be abolished. The incentive to put forth false testimony at trials is far too great and has led to countless wrongful convictions and serves to undermine the principles of fundamental justice.

Crown Interviews

A provision is required within the Criminal Code of Canada that directs Crown counsel to digitally/video record all pre-trial interviews with witnesses and submit those recordings to the defence counsel no later than 72 hours before the start of the trial. This action is to ensure transparency within the process and to uphold the principles of fundamental justice. This provision would eliminate the coaching of witnesses to put forth false testimony resulting in wrongful convictions.

Marijuana

The legalization and taxation of marijuana should occur immediately. This fact is supported by the recent actions within some jurisdictions in the United States of America wherein they have moved to a regulatory system that benefits the tax-paying citizen. The continued practice of incarcerating Canadians for marijuana-related offences, while spending millions of dollars in the pursuit of maintaining a flawed process is the very definition of insanity.

PART II: CORRECTIONAL SERVICE CANADA

Correctional Investigator

A complete overhaul of the operations, mandate and powers of the Correctional Investigator needs to be immediately enacted. The current structure has proven to be fruitless. Without the ability to enforce any of the recommendations identified to correct the deficiencies within the operations of CSC, the Office of the Correctional Investigator will continue to be nothing more than an irritant, a simple fly buzzing around the room annoying everyone, but causing no real threat. It is my submission that the Correctional Investigator needs to operate under a system wherein mediation and/or binding arbitration is within their powers to force the immediate enactment of corrective measures to alleviate any identified deficiencies.

Prisoner Grievance Process

The current structure of the Grievance Process is a colossal failure and an unmitigated disaster that recklessly wastes millions of taxpayer dollars every year. The fundamental structure of the Grievance Process wherein co-workers investigate fellow co-workers at both the Complaint and Institutional Level is simply asinine. Grievances are consistently denied at the first two levels only to be upheld at the final National Level more than a year (or two) later. This has become so common place that all prisoners openly state that it will take at least a year (or two) to solve any issue. Correctional staff are aware of the systemic failure within the Grievance Process and regularly laugh at prisoners when making an unlawful decision and dare them to file a complaint, knowing full well it will take a year or more to resolve. Many prisoners have been released or transferred prior to ever receiving a response to a complaint. The most disturbing part is that every issue must be argued as if it is the first time it has happened. Millions of dollars are wasted each year with staff investigating the very same issue over and over again. It is my submission that the entire Grievance Process requires a complete overhaul wherein it becomes a 'case law' style system. The logging of each upheld decision would go into a national database accessible by both prisoners and staff, thereby negating the need to re-argue identical issues over and over again, thus saving the taxpayers millions of dollars in correctional staff hours, as well as alleviating countless incidents of violence within each facility in the country due to frustration over the

Grievance Process. Submissions within the aforementioned case law system would be voluntary on behalf of each prisoner, could be redacted to ensure compliance with the *Privacy Act* and would be available within the library at each institution.

Accountability

At this current juncture, there is simply no level of accountability within CSC. The malaise within staff morale and complete lack of professionalism has reached epic proportions. Staff regularly make decisions or take actions which they know to be in direct breach of the Canadian *Charter of Rights and Freedoms*, the *Canadian Human Rights Act*, correctional policy, legislative acts and Commissioner's Directives. Their response upon being questioned is inevitably, "Go ahead and sue us!" I have even had senior managers tell me, "It doesn't come out of my pocket". Such wanton disregard for adherence to policy or simple respect for the law is nothing short of atrocious. The very fact that some CSC employees think that the Canadian taxpayers are their personal ATM machine to pay lawsuits as a result of their negligent conduct is abhorrent and unconscionable. They truly believe that they are above the law and without repercussions for their behaviours. It is my submission that the only way to address this conduct is through the implementation of a "Performance Standards Policy", wherein defined punitive actions will be levied against each individual staff member for repeated failure to adhere to the law. The aforementioned policy must be made public and shared with all prisoners. The Treasury Board guidelines currently in place are wholly and completely ineffective.

Mental Health

The current state of mental health treatment within CSC is virtually non-existent. Unless an individual is suicidal or engaging in acts of self-harm, they are likely to receive absolutely no treatment whatsoever. The Harper government repeatedly cut funding to the correctional system, allocating little to mental health in general, yet the presence of those living with mental health issues within penitentiaries is a pressing issue. The correctional system has become for all intents and purposes nothing more than a mental hospital without the requisite level of care or any treatment whatsoever. It is my submission that there needs to be an immediate influx of funding to provide for on-site mental health treatment to any prisoner who requests

it. This program should be voluntary. The basis of the program should also be anonymous in nature, assuring that doctor patient confidentiality is maintained commensurate with community standards wherein disclosure would only occur if evidence of harm was imminent. Many prisoners with identified mental health issues would fear attending regular counselling sessions due to the fact that under the current CSC system any information disclosed by the prisoner can be used against them by their assigned case management team. I am not talking about psychiatric assessments; I am talking about regular counselling to address a prisoner's ongoing mental health needs. A vast majority of the criminalized within the correctional system have suffered mental, physical, sexual or emotional abuse as children. Until such time as they address the underlying mental health issues that reside deep within them, they will never truly be able to move forward in a productive manner and be a contributing member of society.

Psychiatric / Psychological Assessments

Once again, as a result of funding cuts by the Harper government it is virtually impossible to attain a psychiatric/psychological assessment within a reasonable time frame. The waiting list for prisoners to receive a requisite assessment prior to a transfer decision for lower security, escorted temporary absences or release decisions pertaining to parole into the community can take several months, and in some cases more than a year. Some institutions have backlogs as long as three years. Recent information came to light wherein there was one doctor for over a thousand prisoners in the Pacific Region for the express purpose of psychiatric assessments. This asinine ratio was as a direct result of funding cuts by the Harper government. This exorbitant delay is costing the Canadian taxpayers millions of dollars in increased housing costs. It is far cheaper to house a criminalized person in minimum-security than in a medium-level facility and it is considerably more cost effective to supervise them within the community on day parole.

Health Care

Once again, as a result of funding cuts by the Harper government, there is practically a non-existent health care system inside of federal corrections. Aside from medical emergencies wherein an ambulance is called, it takes weeks to even get an appointment with a doctor. Upon finally seeing the doctor they tell you that there is nothing they can do and/or you are told

to take an anti-inflammatory. It most assuredly does not meet community standards or comply with the *Charter*. If you did not know better you would think you were in a third world country. I have watched countless individuals die from cancer or suffer debilitating long-term ailments that could have been prevented, while it took months or years of arguing with health care to get any semblance of treatment, and by that time it was too late. The status of health care in corrections is a modern-day atrocity.

Dental Care

Once again, as a result of funding cuts by the Harper government, there is practically a non-existent dental care system inside of federal corrections. Aside from dental emergencies wherein you are writhing in pain, your mouth is bleeding or half a tooth has fallen out, it takes weeks or months to even get an appointment with the dentist. Upon finally seeing the dentist they tell you that there is nothing they can do and/or they pull the tooth. It most assuredly does not meet community standards or comply with the *Charter*. There are absolutely no preventative check-ups, nor is there an annual cleaning as required by the Canadian Dental Association. Again, if you did not know better you would think you were in a third world country. I have watched countless individuals have all of their teeth slowly deteriorate to the point where they eventually had them all pulled over a number of years. All of the associated pain that accompanied the aforementioned deterioration of the prisoner's teeth could have been prevented. The status of dental care in corrections is also a modern-day atrocity.

Case Management

This area is by far the most deliberated daily subject within the penitentiary population in every facility across this great country. There is absolutely no continuity within the management of federal prisoner cases across Canada. Once again, due to a lack of funding by the Harper government, there is an identified deficiency in the number of contracted parole officers at each facility. The effect is that CSC management continuously shuffles parole officers around within the facility and from site to site in an attempt to alleviate excessively overdue case management decisions. I have had as many as four different parole officers within a twelve-month period. How is a prisoner supposed to build a working relationship, address their dynamic risk factors and move forward within the system when they are seeing a

new face every other week? This revolving carousel is costing the Canadian taxpayers millions of dollars a year in increased housing costs by keeping prisoners in higher level security facilities than they are required to be in. If there were continuity in case management, decisions would be made in a timely manner and prisoners would move to a lower security and/or be released on parole into the community.

Programs

CSC continually espouses rhetoric to the Canadian public about the plethora of behavioural programming offered to prisoners within federal penitentiaries. Within the Pacific Region there is only one program offered called the “Integrated Correctional Program Modules” (ICPM) that is offered in either a moderate- or high-intensity version. The program is viewed as a nonsensical annoyance by many within the penitentiary population as its contents serve no logical purpose, with a composition and structure that are counterintuitive to the actual needs of prisoners. Asking grown men what their emotional colour is (green, yellow or red) and what their frustration number is (1 through 10), only wastes millions of dollars of taxpayers’ money. Prisoners are threatened to take the program by their case management team and suffer dire consequences if they refuse. Trying to obtain a transfer to lower security or parole without jumping through this hoop virtually guarantees a negative decision. The fundamental deficiency with the current structure of the program is the lack of qualified and available facilitators. Many of the facilitators do not have a bachelor’s degree and simply took a training module offered thereby enabling them to teach the program. Countless correctional officers and stewards from the kitchen have become program facilitators. How is it possible that a course rooted in Cognitive Behavioural Therapy (CBT) that has built-in psychometric measures that will ultimately determine someone’s liberty is being handled by someone who used to turn keys every day or flip eggs in the kitchen? The most distressing aspect is that prisoners are prohibited from discussing any concerns they have about CSC employees while in the program; facilitators call it “CSC bashing”. Prisoners are being taught to suppress the very emotions that they are supposed to be learning how to deal with. Some prisoners wait for years to get into the program in the hopes of obtaining a transfer to lower security or obtaining parole, but unfortunately there are often no available facilitators or spaces in the program due to funding

cuts by the Harper government. This problem was recently highlighted in a recent Auditor General's report pertaining to the inefficiency of program delivery within CSC. The effect of prisoners' waiting years to obtain a program is that they are forced to reside in a facility of higher security than they would otherwise require. Many could be in the community on parole being effectively supervised. The savings to taxpayers whereby having the prisoners in lower security or on parole would be considerable. It is my submission that the fundamental principle and purpose behind the delivery of programs within the correctional system needs to be completely overhauled. There need to be highly qualified professionals with either a bachelor's or master's degree that are independently contracted from outside of the correctional system who are there to deliver the programs moving forward. The impartiality of the professionals coming into the system is essential to ensure credibility among prisoners, which would translate into more voluntary and active participation. If you have to threaten or force someone to take a program, the results are clearly going to reflect that mindset. We need to make the program something that individuals will feel comfortable taking that will actually address their current cognitive concerns.

CORCAN Industries

The current configuration of the CORCAN industries within this facility is nothing short of a complete boondoggle. It serves little to no purpose and most assuredly offers no practical industry training whatsoever. It is virtually impossible to acquire certification for trades within the industries area, thus causing a malaise among prisoner workers. The problem was further compounded by the Harper government instituting the elimination of incentive pay for workers, while also putting in place additional room and board charges to all prisoners. Now there is simply no motivation whatsoever for the average prisoner to put forth any effort whatsoever towards employment within the CORCAN industries area of the facility. Simply put, these regressive reforms need to be overturned or these shops should be closed down and the area re-assigned for the implementation of an actual trades certification program that would truly benefit all prisoners.

Trades Certification

There are currently no trade certification programs at this facility. The number one identified risk factor for the vast majority of prisoners is

employability and job skills. The majority of prisoners become recidivist's due to a lack of career opportunities upon release or defined skills training. There needs to be the immediate implementation of a federal-provincial partnership for qualified trades certification programs within all federal penitentiaries in Canada. The facilities already exist within the nearly defunct CORCAN industries. Practical on-going trades programs should be contracted out with the help of each province, whereby prisoners could obtain journeyman certification in welding, electrical, plumbing and carpentry. In-class training, along with practical hands-on skills application, can be achieved within the facility, thereby ensuring prisoners a logical and sustainable career choice upon release into the community. The investment in such a program would save the taxpayers millions of dollars through the long-term reduction in the rate of recidivism and the decrease in the prison population. The most beneficial factor would be the elimination of any new victims being created; something that everyone can agree upon as serving the best interests of society.

Computers

The current status of computer access and education within the Canadian correctional system is laughable at best. There are no computer education classes or technology training whatsoever at Mission Institution even though the education department has computers in the classroom to help facilitate prisoners obtaining their GED or Grade 12 equivalency. Prisoners not enrolled in basic education training only have access to a single computer on their living units that must be shared with up to 60 prisoners. The most distressing problem is that these computers would best be described as archaic. They are so outdated that the very composition of their design no longer exists within society! Until recently they operated on Windows 98 or XP, which are so old that Microsoft recently discontinued any tech support for them! The fix orchestrated by CSC was to install Windows 7, which is nearly a decade old already! The computers have so many administrative blocks that it is little more than a glorified typewriter. When typing a letter, we have to use 3.5 inch diskettes to save the information. The company that manufactured these disks went out of business more than a decade ago. You cannot even buy a computer today that accepts these obsolete storage devices. The vast majority of prisoners within this facility have absolutely no idea how to use a computer; one recently asked me how to turn it on so

he could type a letter to PBC. Prior to 2001, all prisoners within the federal correctional system could purchase a personal computer for their cells. In an ever-evolving world wherein knowledge of computers is an essential element of daily life, CSC eliminated prisoners' ownership of personal computers. How is an individual supposed to succeed in society upon release without any reasonable level of technical ability? The entire operational basis of our society now stems from computer technology. If corrections are supposedly preparing us for release into the community, why are we not receiving training in the most critical area that will help us to succeed? It is my submission that immediate funding and direction is required to mandate the provision of computer technology to all federal prisoners by CSC. A voluntary program wherein prisoners can achieve certification in programs such as Word, Excel, AutoCAD and Photoshop would be fundamental to achieving substantive rehabilitative goals. A further directive should be enacted to once again allow for the ownership of personal computers in prisoner cells. Until such time as we address such a critical area within the rehabilitation process, the incarcerated will continue to become recidivist's due to their inability to mesh with the technology-based society that they are going to be released into.

Dietary Nutrition

The current status of the dietary food delivery program within the Pacific Region is a monumental waste of taxpayers' money. The switch to a chill and serve program was nothing more than a punitive action by the former Conservative government wishing to inflict pain upon the penitentiary population. The quality of food has decreased to such a level that serious health concerns have arisen throughout the federal prison population. The vast majority of the meals are not in any way edible. Many correctional staff have commented how they would not feed that 'slop' to their dogs! It is truly unconscionable in this day and age that we have reverted back to a time where prisoners are provided with only enough food to barely keep them alive – not healthy, just alive. The most disturbing fact is that this was imposed by the Harper government as another cost-cutting measure. However, upon examination there is no substantial financial savings to taxpayers. The chill and serve program costs an exorbitant amount of money to implement and when factoring in the compensatory buyouts to senior level kitchen stewards. Moreover, the implementation of the chill

and serve process caused the cancellation of the Culinary Arts Program wherein prisoners attained certification within the food service industry, thereby enabling employment within the community upon release. The aforementioned Culinary Arts Program was one of the longest running and successful programs at this facility, and was truly revered as extremely beneficial by all staff and prisoners. The short-sighted actions of the former Harper government wherein they eliminated another successful rehabilitative program only to institute a punitive measure against all prisoners demonstrates a severe lack of insight into the management of the correctional system and a complete disregard for the safety of everyday citizens in society. Of more immediate concern is the massive increase in violent incidents within the facility. It is common knowledge within the correctional system that one of the most contentious issues is the delivery and quality of the food. One only has to examine the history of penitentiary riots and incidents in this country to ascertain that there is a direct link between the lower quality of food and the increase of violence. Another troubling concern with respect to the chill and serve program is the dramatic increase in environmental pollution. With the implementation of this program, CSC trucks are driving all over the region in commercial vehicles delivering food to the penitentiaries. These trips would not have occurred prior to the implementation of this program. I fail to see how this meets CSC's commitment to green initiatives or minding the environment. It is my submission that an immediate review of this entire program needs to be undertaken with a projected cancellation and reversion to the prior model of individual institutional food provision.

Visitation

One of the foundational components to a successful rehabilitation and reintegration into society is having a strong community support network. The aforementioned network is generally comprised of family members, extended relatives, friends, as well as community contacts. Regular contact visits with these individuals are critical to the on-going mental health and well-being of all prisoners. Unfortunately, as a result of the former Harper government's policy decisions, the environment and the overall process for visitation within federal penitentiaries has deteriorated to the point that many visitors now refuse to attend due to the abuse they undergo while attempting to attain entry into the facility. The paranoid and neurotic

ideology with respect to security screening has gotten to the point that visitors are regularly treated like common criminals for attempting to show love and support for an incarcerated family member or friend. I am aware of the concerns with respect to halting the entry of drugs into the institution, but the current legislative provisions and correctional policies in force far exceed any rational operational process and only serve to alienate those community support members who are so vital to successful reintegration. The primary source of the alienation is the use of ion scanner devices at the principle entrances of each facility. The technology is highly controversial and is consistently misused, causing undue hardship and embarrassment to those visitors. There are currently over 1,100 items that test as a 'false positive' for registered narcotics on the ion scanner device. When a 'false positive' happens, correctional staff treat this as proof positive and refuse visitor access in the majority of cases. The frailty of this device is evidenced by the fact that its application is not used on correctional staff upon their entrance into the facility, yet they are caught every year introducing narcotics into federal penitentiaries. Why are they not subjected to the same entry process as our visitors? If the threat of narcotics is so severe as to alienate our visitors and treat them like criminals, then why are all correctional staff not enduring all of the same procedures to ensure continuity in the process? The answer is quite simple – the various unions representing all correctional staff have steadfastly refused to allow their members to be submitted to any such process for fear of negative ramifications upon a positive reading. Simply put, they are fully and completely aware of the inconsistencies in the technology and therefore have refused to engage in such a process. If safety and security of penitentiaries were actually the primary objective, then every single person would be subjected to the same entry procedures, regardless of who you are. It is my submission that if you enacted a policy whereby all staff had to submit to the same entry procedures, they would immediately call for the discontinuance of ion scanner technology. An exhaustive review is required into the visitation process within all federal penitentiaries in this country with an eye on improving and supporting access for all visitors. Improved access for visitors will only enhance community support networks and enable greater opportunities for successful reintegration. With the aforementioned successful reintegration, there will most assuredly be a decrease in the rate of recidivism, which will save the Canadian taxpayers considerable expense through the decrease in prisoners.

The most significant benefit will be the fact that another victim will not be created; something that everyone can agree is of utmost importance.

Recreation

Within the confines of Canadian federal correctional institutions, the recreation areas are by far the most accessed by prisoners on a daily basis. Empirical data¹ has shown that a consistent physical fitness routine releases positive endorphins helping to ward-off depression, increasing overall health and wellness, as well as helping to instil a solid foundational base for a healthy lifestyle moving forward. With a plethora of evidence available with regards to the positive short-term and long-term benefits of a consistent physical fitness routine, it simply belies any rational thought process as to why the former Conservative government has done everything in their power to eliminate prisoner access to such facilities. The former Harper government cut correctional funding so drastically that there are few to no resources allocated for recreation whatsoever. A considerable amount of the recreation equipment and weight training apparatus at this facility are nearly three decades old, purchased when the institution first opened. The budget was cut so deeply that a vast majority of the equipment is in a state of disrepair. When something breaks, it just gets thrown in the garbage as there is no money to have it repaired. The vast majority of prisoners enter the correctional system with a history of drug abuse and unhealthy lifestyles. It defies logic as to why the encouragement of a positive fitness lifestyle is not part of the mandate within CSC. In fact, this facility has done everything in their power to limit access to the recreation area. Until several years ago, prisoners not at their work assignment could access the recreation area, outside yard or gymnasium morning, afternoon or evening. This was when our daily population numbered around 250 prisoners. Morning access was soon eliminated and afternoon access was severely restricted shortly thereafter as our population grew to over 350 prisoners with the addition of a new living unit that was placed where our baseball field once existed. The effect has been an increase in tension, anxiety and overall violence within the facility. The former Conservative government's ideology concerning the safe management of penitentiaries is to drastically increase the number of prisoners, while removing access to the activities that help alleviate stress and violence. It is no wonder the rate of violent incidents across the country increased. It is my submission that a review of the annual funding allocation

towards recreation facilities and activities is required. Investment in health and wellness is critical and can be immediately implemented, providing substantive short-term and long-term benefits towards overall wellness, while decreasing violence within the federal penitentiary system. Instilling a positive and healthy lifestyle while incarcerated will most assuredly enable an increased opportunity for successful reintegration within the community upon release into society by all federal prisoners. The first step is to debunk the myth that prisoners are simply laying around lifting weights all day. Instilling a healthy lifestyle is an important step in rehabilitation.

Library

As a result of funding cuts by the former Harper government, the condition of our library services is in a state of utter disrepair. For many years, the configuration and structure of our library facilities, programs and the overall operation were the envy of many countries around the world. The ability of a library program to provide literary access, as well as educational support and general information is a key component within a prison system. For decades, the library at this facility was open and accessible for prisoners during the morning, afternoon and evening. This was a key linchpin to ensuring the maximum opportunity for intellectual stimulation within the banality that is the penitentiary environment. Unfortunately, over the last couple of years I have witnessed the desecration of a once great library program. Presently, our library is unable to sustain itself. There was no discernable money for new books this year and next year's budget is projected to decrease. Our hours of access have been reduced dramatically, with both morning and afternoon access removed within months of each other. Now 350 prisoners have to cram into one small library space for approximately two hours each evening; this is simply a recipe for disaster. Last year, the position of our librarian was cut from full-time to part-time. The librarian at this facility is a true professional who works diligently on a daily basis ensuring all prisoners acquire the requested information to enable their continued forward progress with regards to their individual learning needs. The reduction of the librarian position is simply ludicrous. Many prisoners are unable reference or locate the material they require without the help of a librarian to assist and encourage their continued learning and literary expansion. This funding cut is another hare-brained example of the legacy of the former Harper government's complete lack of insight into

what is required to operate a federal penitentiary. Education is the key to rehabilitation and removing a key component of the education process puts prisoners at a disadvantage when released into the community. The cost of that increase will go far beyond simple dollars and cents. It will be the cost of harm to society by way of a new victim created at the hands of the former Harper government through their near-sighted, draconian policies.

Prisoner Pay

The prisoner pay program, wherein the incarcerated receive compensatory remuneration for work performed or program assignment attended during the daily course of incarceration, was first instituted in 1981. There has not been a review of prisoner pay or an identified measurable increase in more than three decades. Unfortunately, the cost of living has increased, while the value obtained for each dollar has been drastically reduced in over three decades. Prisoners are no longer able to attain the basic necessities with their meagre institutional pay. Compounding the problem is the abhorrent actions under the former Harper government, whereby CSC instituted an additional 30% deduction of a prisoner's gross pay for room and board, as well as telephone system management. This action is arguably unlawful in its very nature and is currently being challenged in the courts by a consortium of prisoners from across the country. The contextual basis of the argument is that the process of deducting money from prisoners' pay is in direct contravention of both the purpose and principles contained within *the Corrections and Conditional Release Act*. CSC's mandate is to support our rehabilitation and reintegration into the community. That is simply not possible when an individual now has to choose between calling his community support network, buying deodorant, sending a card to his daughter or going hungry in the evening hours for two weeks. The aforementioned choices are not something any human being in this country should have to make. Yet, as a result of Harper's draconian policies, that is exactly the choice many prisoners have to make on a daily basis. We have already established that the current dietary menu is not sufficient, nor does the level of hygiene provided for prisoners meet acceptable standards. Prisoners having to supplement these depleted areas most assuredly causes an identified reduction in their ability to engage their community support network. It has been clearly identified that the primary source of successful reintegration is through the establishment of a solid foundational community support network. The former Harper government's response to this knowledge

was to all but eliminate a prisoner's ability to regularly maintain positive interactions with people in the community. Such actions are near-sighted, reckless and mean spirited. It is my submission that an immediate review of the policy whereby the charging of additional room and board deductions against federal prisoners shall no longer be permitted. A comprehensive review of the federal penitentiary system pay scale needs to be undertaken with an eye on affecting an increase to the overall remuneration offered to prisoners. This increase should take into account the rates were created in the 1980s, while also factoring-in the standard cost of living and increase in general consumable goods. I understand the concern that providing prisoners with increased remuneration does not seem like a good investment, but if you facilitate the creation of a positive living environment where rehabilitation truly occurs, the result will be the release of prisoners into the community that will be successful and not return to prison. The reduction in the overall rate of recidivism will offset any perceived financial expenditures incurred by Canadian taxpayers. Many jurisdictions around the world (e.g. Germany, Finland, Norway)² pay a fair rate to those incarcerated and help them save and prepare for release into society. Currently, prisoners in this country are only guaranteed \$80 upon their release into the community. I fail to see how that is supposed to ensure their success. Simply put, you need to invest for success.

Double Bunking

Where institutional crowding is an issue, the current practice within CSC is to place two prisoners in the same cell for cohabitation against their will. This practice is commonly referred to as 'double bunking'. CSC repeatedly espouses the rhetoric that this practice is temporary and that all prisoners have the opportunity to attain a cell with single occupation. During the Harper years, this was a complete misnomer as many waiting lists were years long for some prisoners who were released before they ever got a 'single cell'. The practice of placing two prisoners in a space designed for one is in breach of the minimum standards for the ethical treatment of prisoners as established by the United Nations. Moreover, the practice of double bunking causes a significant strain on the correctional system. As a direct result of double bunking there is an increased rate of general violence within the facility, a lack of available programs due to crowding, as well as an increase in bullying between cellmates. Such an environment most assuredly does not enable an appropriate atmosphere for a prisoner

to address their dynamic risk factors; they are more likely to be focussing on survival. The damaging effect and subsequent cost to the Canadian taxpayer by way of elevated rates of recidivism is simply unfathomable. It is my submission that new victims are being created in society as a direct result of the current practice to openly breach of international standards via 'double bunking'. While rates of this practice have declined in recent years, more is needed (i.e. an immediate cessation to this practice at all federal penitentiaries within this country).

Tattoo Program

The current stance by CSC is to prohibit the practice of tattooing within all federal penitentiaries. The aforementioned 'ostrich approach' adopted by the former Conservative government and CSC, whereby sticking your head in the sand and hoping the problem will go away, is just plain bad social policy. Several years ago, there was a progressive pilot-program where CSC permitted tattooing to occur in federal penitentiaries in a safe and sterile environment, thereby preventing the spread of communicable diseases. This program was truly a ground-breaking endeavour that helped to reduce the spread of Hepatitis, HIV and AIDS. Unfortunately, for whatever reason the program was cancelled. It is my submission that such actions are irrational, negligent and not in the best interest of the public. Infection rates among prisoners for blood borne illnesses are higher than the general population. These individuals will be returning to society as infectious carriers and spreading preventable diseases. It is simply poor social and health policy to ignore something that you can easily prevent.

Needle Exchange

It is common knowledge that some prisoners are using intravenous drugs within the federal penitentiary system. It is also common knowledge that those prisoners are engaging in extremely high-risk behaviour wherein they share the same syringe. This risky and sometimes deadly behaviour is a main cause for the spread of blood borne infections that explode within carceral settings devoid of harm reduction. Failing to address such an epidemic is not only bad social policy, it is negligent and bordering on criminal behaviour. Many of the prisoners in this facility come from Vancouver's downtown Eastside where they have the "INSITE" safe injection site, as well as various facilities that offer needle exchange programs to ensure relatively safe and healthy practices, as well as harm reduction. It is my submission

that CSC should immediately enact a needle exchange program with a harm reduction component.

PART III: PAROLE BOARD CANADA

Partisanship

There needs to be a review of the partisan appointments within the current structure of PBC. During the Harper years, the conduct, behaviour and decision-making process amongst the membership of PBC became rather suspect to say the least. Based on the tenor of our parole hearings, many prisoners came to the conclusion that Prime Minister Harper and his government appointed individuals who espoused their ideological beliefs. Recently, as the new Liberal government entered office, the behaviour of PBC members appears to have stabilized. However, a statistical review of all decisions made before and after the Harper government is needed to ascertain any anomalous patterns.

Parole Hearings

Flowing from Harper's political agenda were several procedural changes to how parole hearings are allocated and performed.³ Some of such changes include extending the legislated parole review period to at least two years following a waiver or denial of parole for those serving time for violent offences, as well as, among others, entrenching victim-centered principles. These amendments have served to do nothing but deny basic procedural fairness to all prisoners, as well as increase the danger to society as a whole. The resultant effect of the aforementioned amendments is to deny individuals parole and keep them behind bars longer. The recent report put forth by the Auditor General clearly shows the link between gradual release and the rate of recidivism. The sooner you return an individual to the community under supervision, the greater their chance of success. Keeping people incarcerated longer does not make for a safer society; in fact, it impacts exactly the opposite effect.

PART IV: LEGISLATION TO REPEAL

Bill C-10

This bill was coined the *Safe Streets and Communities Act* by a majority Harper Conservative government and received Royal Assent in 2012. There

are countless sections within this bill that are simply bad policy and need to be repealed, while others, like mandatory minimum sentencing and truth in sentencing have been ruled as unconstitutional by the Supreme Court of Canada.⁴ One of the primary changes was to institute more mandatory minimum sentences, which is an approach that has failed in the United States instituted over the past 30 years. Longer sentences do not make a society safer, rather they simply make for hardening the criminalized. The discretion of matters pertaining to sentencing must remain with the judges that have been tasked with overseeing the independence of our judicial system. While the courts have begun to rule some of the recently enacted mandatory minimum sentences to not be in keeping with principles of fundamental justice and the *Charter*, there is a need to repeal those that remain. A second major series of changes contained within Bill C-10 was to radically alter the very fundamental mandate of the Canadian correctional system. Within the bill, direct and specific amendments were made to the *Corrections and Conditional Release Act* (CCRA) that altered both its “Purpose” and “Principles”. The aforementioned changes shifted the central focus of the Canadian correctional system from rehabilitative to punitive, with less emphasis on preparation for release. How much punishment can be inflicted upon each prisoner prior to the expiration of their sentences arguably became CSC’s *raison d’être*. In its current state, CSC requires a name change to accurately reflect the mandate it carries out. There is nothing ‘correctional’ about the system and there is definitely no ‘service’. It is my submission that either the mandate and direction of the entire system should be changed or the new name should be the “Canadian Penal System” so as to accurately reflect its purpose. If we are truly a progressive country then the *Act* requires drastic review with an eye on repealing a majority of Prime Minister Harper’s amendments, thereby ensuring a system based on rehabilitation and hope, not one of punishment and despair. The third change contained within C-10 was for the radical transformation of PBC. With an altered mandate, purpose and principles, the new format no longer holds accountable the Institutional Parole Officer or those within the correctional system for the work they perform. The prisoner bears the brunt of any errors on behalf of correctional service employees. Accountability within the system is now solely for the prisoner and nobody else as CSC employees are above the law. The fourth change contained within the bill amended the *Criminal Records*

Act making it more difficult to receive a ‘pardon’ for some and impossible for others. Now called a ‘record suspension’, the process has become far more arduous and long, with a cost that is nearly unattainable for many citizens. This reform was simply spiteful and does not reflect Canadian values. As a Canadian it is incumbent to believe in the redemption of your fellow citizens, and support their efforts to change and become a productive member of their communities. There are various other changes that are too numerous to list and require a thorough analysis to ensure that the values Canadians hold dearly are not destroyed.

Bill C-14

This bill was coined the *Not Criminally Responsible Reform Act* by the former Harper Conservative government received Royal Assent in 2014. This bill amended the Criminal Code and *National Defence Act* pertaining to mental disorder. The basis for this bill was another prime example of Conservative pandering to their Reform Party roots. There was simply no need to create the special designation of a “High-Risk Accused” within the structure of a “mentally ill offender” who has been found not criminally responsible. The courts and the Honourable Justices already had the latitude under the old system to maintain an individual in custody indefinitely wherein they felt he/she posed a threat to themselves or society in general. This bill was nothing more than politicking at the expense of those living with mental health issues, who are only further alienated and stigmatized.

Bill C-479

This bill was coined *An Act to Bring Fairness for the Victims of Violent Offenders* via a Conservative MP’s private members bill and received Royal Assent in 2015. While I am cognizant of the rights and concerns of victims, care and concern must be taken when enacting any legislation to ensure that it meets the test as set out in the *Charter*, and is in keeping with the goals of good public policy and appropriate fiscal management. This bill does not meet any of the aforementioned objectives and was another example of Conservative politicking to their right-wing base hoping to gather more strategic votes. The provision wherein the increase of parole hearing application timelines increases from every two years up to every five years is most assuredly unconstitutional. This amendment represents a *post facto* increases of a person’s sentence who received final adjudication

prior to 23 April 2015 on a charge involving violence. It is arguably a direct breach of the *Charter* to affect any increase to a criminalized person's sentence following the conclusion of the judicial process. Parole eligibility hearing dates would have been one of the factors considered by a judge when determining the length of a sentence. Moreover, this amendment disproportionately impacts those convicted of second degree murder seeing as the judge's factor in the duration of time to be served prior to one's initial parole eligibility for a Life sentence and forthcoming subsequent applications. It is my submission that this amendment will not withstand a judicial review within the courts. Moreover, this single amendment will cost the Canadian taxpayers millions of dollars in additional housing costs maintaining incarceration of prisoners that are ready for release, but unable to obtain a parole hearing due to the statutory regulation. This is not sound public policy.

Bill C-483

This bill amends the *Corrections and Conditional Release Act* in relation to escorted temporary absences (ETAs) of prisoners and received Royal Assent in 2014. This entire amendment was politically motivated and increases the overall risk to society. The previous version that was in effect gave the Institutional Head the authority to issue ETAs, which has been demonstrated over a lengthy period of time to be. The use of ETAs leading up to day parole hearings was an invaluable tool for PBC to assess a prisoner's suitability for obtaining day parole. With the implementation of this amendment, day parole for prisoners serving a life sentence has been effectively eliminated at their eligibility date. This action means that a minimum of three years can be added to all affected prisoner's time behind bars due to the fact that PBC has consistently maintained the position that they require several successful ETAs prior to the granting of any form of day parole, an action that can cost Canadian taxpayers between \$300,000 to \$500,000 dollars per prisoner in increased housing costs. The vast majority of those prisoners could be housed in the community at a fraction of the cost. This was simply bad policy that pandered to Prime Minister Harper's electoral base and it should be immediately repealed in the interest of proper fiscal responsibility, social policy, and public safety. Moreover, this amendment created an undue backlog of paperwork of the entire system for no other reason than ideology.

Bill C-12

This bill was coined the *Drug-Free Prisons Act* by the Harper Conservative government and received Royal Assent on the 18 June 2015. This bill amended the *Corrections and Conditional Release Act*, but has not stopped the flow and use of narcotics within the federal penitentiary system. Moreover, there is no treatment or harm reduction component attached. Instead, it enables the denial and/or cancellation of a prisoner's parole for a positive urine test prior to their release. It also permits the cancellation of parole for a prisoner who is simply unable to provide a sample within the two-hour time limit. Speaking from personal experience, it is very hard to consistently provide a sample upon demand within this timeframe due to various external factors such as summer dehydration, spoiling activity, illness or the time of day. To cancel an individual's parole on this basis is unfair and unjust.

CONCLUSION

Throughout this piece, I have attempted to put forth a thoughtful analysis of the deficiencies within the Canadian criminal justice system through the viewpoint of a prisoner. It is my submission that my perspective and that of my fellow residents are of value. If the goal of the federal government is to put in place policies that are in the best interest of the entire country and the safety of its citizens, then the measures enacted under the former Harper government's reign have not met the threshold for responsible governance. It is my sincere desire through the creation of this document to elicit a meaningful discussion with members of both the academic and political community. Now that there has been a change in government, it is my hope that an extensive review will be undertaken to investigate the rather dilapidated state of the Canadian penal system and more specifically, our federal penitentiary system. Former President of the United States Barack Obama toured a federal prison in his country therein becoming the first sitting President to do so. There, he openly acknowledged the failure of his country's mandatory minimum sentencing policy, while noting that longer, harsher prison sentences do not make society safer. Such actions by the former American President took true courage and intestinal fortitude. To those who have instituted policies that impact prisoners without ever listening to what they need to have access to in order to become productive

members of society, I would like to formally invite any citizen, community volunteer or member of any political party to attend Mission Institution for a roundtable on the state of the Canadian penitentiary system. The meeting can be a one-on-one or with a select group of a few residents or a gymnasium full of prisoners. I am amenable to either an on the record interview with media in tow or an off the record informal discussion wherein you simply tour the facility and hear the concerns of prisoners like myself, not those cherry picked by institutional officials to convey a CSC-friendly version. I am more than willing to assemble a small group of appropriate candidates for a concise, diligent and articulate discussion that I truly believe you will find eye opening.

This year will be the twenty-fifth anniversary of the implementation of the *Corrections and Conditional Release Act* in 1992. That particular legislative act is the foundational document that governs everyday life for all incarcerated federal prisoners in this country. Former Prime Minister Stephen Harper and his team enacted countless amendments that have altered the very structure and operations of the Canadian penitentiary system, the vast majority of which will most assuredly endanger society in the long run. As a review of Canada's criminal justice system moves forward, I encourage those involved to come to Mission Institution so that legislation can be developed to address the current deficiencies, including those that are at work inside CSC facilities.

ENDNOTES

- ¹ Please see Dunn, A. L. and J. S. Jewell (2010) "The Effect of Exercise on Mental Health", *Current Sports Medicine Reports*, 9(4): 202-207.
- ² In the Scandinavian countries: "Though worse for wear, rooms feature flat-screen TVs, sound systems, and mini-refrigerators for the prisoners who can afford to rent them for prison-labor wages of 4.10 to 7.3 Euros per hour (\$5.30 to \$9.50)" (Larson, 2013).
- ³ *According to the Parole Board Policy Manual Annex D: Second Edition – no. 03* (2015-04-24) The passage of Bill C-479 - *An Act to amend the Corrections and Conditional Release Act* (fairness for victims) has resulted in amendments to the *Corrections and Conditional Release Act* (CCRA) which came into force on April 23, 2015" (Parole Board of Canada, 2017).
- ⁴ Please see Hopper (2015).

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Mission Institution

Anonymous Prisoner 20

Based on my experience as a Canadian federal prisoner since the early-2000s, this paper explores the changes that have negatively impacted penitentiary life from the time the Harper Conservative government was elected to power. My experience within the federal penitentiary system is one of despair as I have watched it spiral closer and closer to the failed prison models used in the United States. In particular, I have seen a significant negative shift in Correctional Service Canada (CSC) staff culture over the past decade, which I attribute to the Conservative Party of Canada's punishment agenda and their use of fear mongering when it came to selling it. This agenda has infiltrated the core and culture of CSC, and is a significant driver behind issues such as the significant number of prisoners being released from medium- and maximum-security penitentiaries on statutory release, along with their warehousing in these higher security institutions when many affected prisoners do not require this level of intervention.

In 2016, an Auditor General report noted these issues and attributed them to a lack of objective evaluation tools and training. However, as true as these findings are, they do not tell the whole story. The present culture fuelled by punitive attitudes has seen the privileging of 'public safety' premised on incapacitation, rather than reintegration and rehabilitation in CSC's policies and practices. The individuals working within this cultural context are resistant to the use of objective evaluation tools because the use of more subjective evaluation allows them to apply their bias. Thus, in my opinion, it is a much deeper problem than what the Auditor General noted. This is one legacy of the Harper government's influence on CSC that every federal prisoner must face.

As is documented in my psychological report and other documents written by CSC staff prior to the Harper government, I was diagnosed as suffering from Post-Traumatic Stress Disorder (PTSD) and "battered spouse syndrome" as a result of my relationship with my deceased wife, who was violent and abusive towards our children and myself. As my doctor noted at the time, my only risk scenario for violence is in the event that I perceive an imminent deadly threat to the life of someone I love and that I believe I have exhausted all avenues to protect them. Within a culture of rehabilitation and reintegration, the recognition of addressing this and acknowledging my lack of propensity for violence would be significant. However, within the present culture, I received no support

in terms of dealing with this diagnosis. Further, my attempts to seek help and have this help noted on my file have been circumvented by actions driven by the punishment agenda and the subjective bias associated with it. For instance, in 2013 my Institutional Parole Officer (IPO) denied me the opportunity to consult an outside therapist who had worked in CSC facilities to receive therapy. Nine months later, I discovered through another prisoner that the therapist was already providing therapy to a prisoner at this institution and I was able to get her contact information. Within ten days of sending my letter to the therapist, I started my sessions. Despite having taken the initiative to work through my issues, my therapy did not make its way into my Correctional Plan Update by my IPO, which stated that I had made next to no improvement in my two risk areas even though I had successfully completed my correctional plan as well.

Considering that my only risk areas are personal/emotional and marital/family, and that I was receiving therapy for PTSD that stemmed from being in a relationship with a violent and abusive individual, it would seem that talking to the therapist would have provided significant input regarding these risk areas. Had my IPO met my therapist as I requested, the subjectively biased opinions included in my file would have been challenged and the tenor of their report would have required significant adjustment.

Towards the end of 2015, I was assigned a different IPO who initially appeared less prone to abide by the punishment agenda that had come to characterize life and work in the federal penitentiary system. However, within a few months it became apparent that the same bias was present as a 2016 Assessment for Decision questioned if I was ever actually diagnosed even though the judge in my case acknowledged this a decade earlier. The IPO also made the false statement that I demonstrated a desire for control with respect to my daughter even though she made it clear, through communication with my IPO and the warden that I have never acted in this manner since our reconnecting in 2013. Numerous other unsubstantiated opinions, which were contradicted by notarized affidavits on file (e.g. statements made to the police and testimonies of individuals that resided in my home) were also part of this report. As this was the last assessment written prior to an independent assessment being submitted for my judicial review, I have fought the contents of this document for almost a whole year and at present it is still 'open'. I have received little to no support from those involved in getting this document corrected, which has stalled the independent review and thus the decision of

the Chief Justice in regard to my receiving a judicial review hearing. In fact, I wrote a letter to Justice Minister Jody Wilson-Raybould outlining dozens of violations of the *Standards of Professional Conduct in the Correctional Service of Canada* by my IPO.

The last incident that demonstrates the permeation of the punishment agenda throughout CSC is the reaction of my most recent IPO, who stated that “I haven’t done enough time” when I tried to make a plan to cascade down to a minimum-security institution as I have now entered my seventeenth year of my sentence with a good possibility of my receiving a judicial review hearing and thus a possible reduction on my parole eligibility date(s). The idea of moving forward makes sense to me as I need to prepare for a safe and productive transition into the community.

I see the need for those serving extended sentences to have a significant portion of their time, prior to possible parole, being served in a minimum-security setting to help off-set the effects of long term incarceration. To me the idea of a prisoner spending a minimum of 20% to 25% of their overall time in minimum-security, prior to parole eligibility dates, would help in the reintegration and acclimation of these individuals. However, within the present setting I have noted the tendency to hold many individuals, who do not require higher levels of intervention, until they are much closer to their eligibility dates than needed. This, in turn, results in the individual not being prepared to move forward by their day parole eligibility dates. This phenomenon is directly related to the punishment agenda and the attitude it has instilled amongst CSC staff whereby prisoners that pose a minimum risk to public safety are being held at higher levels of security than necessary for no other reason than punishment. In my case, the effects of this are amplified. As a person suffering from PTSD, I am forced to engage in an environment that is significantly more prone to aggression and violence to the detriment of my emotional well-being, with the potential of undermining the efforts made in this area. In closing here are my top ten issues I would like to see the present Government of Canada resolve:

1. *CSC’s mission statement* needs to place greater emphasis on the ‘rehabilitation’ and ‘reintegration’ process as a means of shifting staff culture.
2. *The warehousing of prisoners* at higher levels of security than necessary in the name of public safety needs to stop.

3. *The lack of accountability amongst CSC staff*, particularly amongst IPOs, as well as those responsible for managing assessments and interventions, needs to be addressed. Reports are constantly being used to falsely characterize prisoners as not holding themselves accountable to stall their movement through the system. There is a consistent failure to observe the Commissioner's Directives, in particular Commissioners Directive 700 *Correctional Interventions*¹ and Commissioners Directive 701 *Information Sharing*,² which govern CSC practice on correctional interventions and information sharing respectively. Current practices are tantamount to violations of the *Standards of Professional Conduct in the Correctional Service of Canada*.
4. *The lack of authority of the Correctional Investigator*, along with the ineffectiveness of the grievance process and alternate dispute resolution process to provide oversight and serve as remedial mechanisms, needs to be given the authority to correct unjust actions within the system. Prisoners should not have to turn to the courts and use legal documents, such as the *Standards of Professional Conduct in the Correctional Service of Canada*, to remedy issues. Taking up court time and resources would not be necessary if there was real accountability through the above-mentioned avenues. Moreover, very few prisoners are capable of effectively using legal means to address these unjust actions and are being victimized by the system.
5. *A lack of funding for prison advocate organizations* has effectively created a situation where individuals are leaving prison with minimal support available to them. Due to budgetary constraints, numerous organizations have reduced or cut from their budgets activities inside penitentiaries. In other instances, the federal government shut down support services such as Life Line. For the wrongfully convicted, there is really no avenue to have their cases properly evaluated by organizations as so few dedicated to such injustices exist and there is no public funding of them, resulting in many viable cases not being pursued due to a lack of resources. Prisoner support and wrongfully convicted organizations ought to be better supported by the federal government.
6. *The double taxing of prisoners* for room and board, along with telephone access, for the purposes of enhancing public perceptions

of accountability ought to end. This matter is presently in front of the courts, however, the government ought to acknowledge that room and board was always part of the evaluation when prisoner pay was first initiated in the 1980s. The equation that determined the pay scale was based on the Canadian average for minimum wage minus this sum for welfare recipients. As to the additional charge for phone administration costs, it is my understanding that within the 11 cents per minute that prisoners pay for long distance calls a portion of this was already allocated for administration overhead. Simply put, CSC is double dipping and these two taxes are nothing more than a money grab. These actions have had significant impact on the penitentiary population as a whole. Even for those able to budget themselves and use self-control, it has still undermined their ability to maintain family and outside support. I have had to cut back on my phone calls to family simply because of the loss of funds to cover these costs. Where I once consistently spoke to siblings and friends, I have now cut back my calls to my daughter and step-mother once a week. All my other calls have to be made collect because I do not have the funds to cover them and thus I have drastically reduced my outside contact. In fact, I now have to ask my family to occasionally send in money so that I can maintain some semblance of outside contact through the phone or private family visits. Prior to these policy changes, I was able to cover all these costs. Was it the intent of the Harper government to make the families of prisoners 'accountable' also? For those with addiction issues and/or lack of self-control the problem is compounded. In these instances, not only has it removed their ability to maintain family and outside support, it has also created an environment where violence is more prevalent in the form of muscling, assaults and the like. This increases the number of incidents leading to segregation, increased involuntary transfers and results greater instability within the institutions. Lastly, these measures have virtually removed a prisoner's ability to save money for their release, which means more and more are returning to the streets – especially those coming from medium- and maximum-security – with only the mandatory \$80 in their pockets. This is just an accident waiting to happen.

7. *The loss of incentive pay at CORCAN industries and other work-for-pay programs* needs to be reversed as they have compounded the problems noted above. When I worked at CORCAN, I was actually able to send money out to help my family with costs incurred travelling to see me and for such things as presents for my children. Now I have to have my family send money to me and I have watched my prisoner account consistently dwindle from the \$2,000 I had saved to now just over \$400. What money I had saved and was able to send out to invest in GICs is now being cashed out on a regular basis to help my children. At this rate, I will leave the penitentiary in my sixties with no funds to help in my reintegration into Canadian society.
8. *Mandatory minimums and the overall shift towards the failed U.S. prison system models* needs to be abandoned. There are way too many individuals presently in federal penitentiaries who do not require this form of institutionalization. Just being in this environment is making a situation worse, not better. Also, it would behoove the Government of Canada to acknowledge that the system that was in place prior to the Harper administration better dealt with the issue of criminality. A new direction is needed whereby evidence based policy making and lessons learned from the American failed prison experiment inform practice; efforts to educate the Canadian public to prepare for this change should be the priority. Why does the federal government continue to bang its head against a brick wall expecting something to change without making a fundamental shift in its approach to the problem? I hope Prime Minister Trudeau recognizes this and will bring us in a new direction.
9. *Subjective evaluations impacting prisoner pay* should be constrained by clear guidelines. At present, CSC evaluates a prisoner's pay level by supposedly tying accountability and motivation to the equation. Prior to this move, the system attempted to reduce its overall prisoner pay budget by informing work supervisors that they were to stop evaluating prisoners as excellent on work performance evaluations. This was not successful because most supervisors chose to continue to evaluate based on the worker performance, especially considering existing room and board/

telephone reductions factored into our pay levels. In response, the system changed the evaluation process and added the subjective evaluation by IPOs in the areas of accountability and motivation. The end result at this institution was that the number of prisoners receiving Level A pay dropped from more than 250 to six within one pay evaluation period. Only those that were designated as moving to minimum retained their Level A pay and only those who move into this category are given Level A pay. Meaning this institution only has to pay the individual top-level wages for the short duration the prisoner remains here. This is nothing more than another money grab. Putting it into financial terms, when I worked at CORCAN, before the removal of incentive, my average take home every two week was \$110 to \$120. This allowed me to cover all my phone calls costs, have funds to pay for private family visits, cover my canteen purchases including stamps and envelopes, and have money to send out to support my family. After the incentives were taken away, my take home dropped to roughly \$54. This eliminated my ability to send money out, while reducing my ability to maintain contact with extended family and friends. My parents not only have to cover their travel costs, but also had to help to pay for the food purchases for private family visits, which resulted in a reduction in my ability to stay in contact via letters as my ability to buy postage was reduced. With the double taxing my take home pay on a full two-week pay dropped to roughly \$38 and with the new evaluation system this has dropped to \$34. I do not think I have to list how this has continued to negatively impact the penitentiary population on the whole. Where else in Canada would these types of measures ever be considered just especially when considering that prisoners have never received a pay increase since the pay scale was introduced in the 1980s?

10. There is a *lack of educational upgrade opportunities beyond high school equivalence*, which makes little sense when education is one of the key factors in reducing recidivism. Avenues to higher levels of studies have been virtually cut off given the financial situation that prisoners presently face. However, even before the Harper government and their financial measures were initiated, access to higher education courses were thwarted by CSC who feared public

perception of prisoners getting cheap higher education. Rather than educating the public on the benefits of affordable higher education provided by institutions willing to offer courses, CSC institutions withdrew their support.

To conclude, there are many measures that have constituted the downward cycle of CSC to the detriment of Canadian society. I have included a couple in the hopes of stimulating further discussion on how things could be changed to benefit all.

ENDNOTES

- ¹ CD 700 Correctional Interventions, in effect 2017-05-15: To ensure correctional interventions contribute to the rehabilitation of offenders and their successful reintegration into the community (Correctional Service Canada, 2017a). Correctional Service Canada (2017a) *Commissioners Directive 700 Correctional Interventions*, Ottawa. Retrieved from <http://www.csc-scc.gc.ca/lois-et-reglements/700-cd-eng.shtml>
- ² CD 701 Information Sharing, in effect 2016-06-01: To ensure information is received and shared with the appropriate individuals and/or groups pursuant to legal requirements and protocols (Correctional Service Canada, 2017b). Correctional Service Canada (2017b) *Commissioners Directive 701 Information Sharing*, Ottawa. Retrieved from <http://www.csc-scc.gc.ca/politiques-et-lois/701-cd-eng.shtml>

Mission Institution

Simon Chow / Inmate Welfare Committee Chairman

My name is Simon Chow, and presently, I am the Inmate Wellness Committee Chairman of Mission Minimum Institution. I am a Lifer who has spent over 17 years in many federal penitentiaries, which include Kent Institution, Edmonton Institution, Grande Cache Institution, Matsqui Institution, Mission Medium Institution and Mission Minimum Institution. I have the first-hand experience with respect to the effects of the Harper government's punishment agenda.

I started serving my federal time in 2000 under the Liberal government's policies and mandates, which at the time focussed on rehabilitation and harm reduction. Then in 2006, we were under the Conservative government's 'tough on crime' policies and mandates, which focus on punishing and keeping prisoners behind bars longer. I do not think I need to tell you the distinctions between the two sets of policies and mandates. However, I would like to mention one thing that is quite distinctive. We all know that tattooing in prison is forbidden, but is unstoppable. Prisoners infected with Sexual Transmitted Diseases (STDs) is quite common within the penitentiary population. Under a Liberal government harm reduction policy, institutions could create a tattoo artist job position and provide a safe environment for tattooing. When Conservative government took power in 2006, they cancelled the tattooing program and the consequence was that the health care costs increased significantly. This example clearly differentiates the policies between the two past governments. The old program needs to return to save lives and taxpayer dollars spent on health care.

After receiving the invitation to participate in this *Dialogue*, I sent out a communiqué and asked the prison population for their comments. In addition, at the Restorative Justice weekly meeting, penitentiary reform was the topic for group discussion. The discussion for the evening was quite productive. We shared our experiences with the volunteers and came-up with some suggestions in improving the correctional system. In conclusion, we all agreed with the recommendations found in the *Out of Bounds* article and its demands for penal reform.¹

After many discussions amongst the population here, not surprisingly, we all agreed that food is the highest priority on the top ten list. Previously, under the Liberal government, every medium- and maximum-security institution prepared prisoners' meals in their own kitchens. Presently, all regions are serviced by central feeding, in which every region designates one or more institutions to prepare all prisoners' meals in its region.

Meals, prepared days ahead and frozen, are put inside hot meal carts and delivered to the institutions. Both the quality and quantity of the food are insufficient. Moreover, prisoners housed at all different security levels used to be confined in penitentiaries that allowed food drives, with the funds raised for local initiatives, as well as opportunities for prisoners to order food from local restaurants. In maximum-security institutions, the food drives were not only used to support local businesses, but also served as a tool to encourage prisoners to maintain good behaviour. For example, in 2005 at Kent Institution, when the living unit maintained charge free and incident free for two months, prisoners were allowed to have a food drive. Prisoners who want to have access to good food outside would try their best to keep their living units in good order. At Mission medium, where food drives were permitted, prisoners could order outside food for special social family events. At Mission minimum, prisoners could order food delivery from local restaurants and consumed it with their family during the visiting hours. Unfortunately, under the Harper government's punishment agenda all the food drives and food orders were suspended.

In addition to the food issue, I would like to point out another issue that should be looked at, which is better access to education on technology. We used to have access to computers for personal use. In 2000, because of security concerns with respect to an Internet access breach, CSC ceased to allow personal computer for prisoner use. The rationale was that a prisoner could have access to Internet with a cell phone, which was frequently found in prisoners' possession against institutional rules. Computers and computer-related gadgets have become one of the most essential tools in daily life outside. It would be greatly beneficial for prisoners to be able to learn or improve their computer skills. Moreover, all night schools were suspended due to the budget cut from the Conservative government. Everyone agrees that education is one of the most important programs for prisoners' rehabilitation.

Most, if not all, issues need time to amend and reinstate except for those noted above, which would only require amendments to Commissioner Directives. Therefore, I believe these issues should take priority to get them fixed first.

ENDNOTES

¹ Demand Prisons Change (2015) *Dear Liberal Government*. Retrieved from <https://demandprisonschange.wordpress.com>

ECONOMIC IMPROVEMENT FOR PRISONERS

When the Conservative government made all prisoners pay additional fees for room and board, pay administrative fees for things like servicing the telephone lines, and took away CORCAN incentive pay, they created undue hardship on prisoners and their families. It is more difficult for prisoners to pay for phone calls, pay for food for Private Family Visits and to buy anything that they may need that health care does not provide. A lot of prisoners used to send money home to their families when they were being paid their full pay before all the deductions were imposed. Now the amount they can send home is greatly reduced or non-existent.

Another issue that needs to be addressed is when prisoners are released from the penitentiary they have very little money, if any, to help them readjust to life in the community. This only adds to the possibility that a prisoner may commit a crime to support themselves.

To remedy both issues, I propose bringing back the CORCAN incentive pay, not making us pay room and board, and abolishing administrative fees. These measures would go a long way to alleviate the stress and hardships placed on all prisoners and their families under the previous, short-sighted government.

**HONOURING PRISONER PAROLE
ELIGIBILITY DATES AND TRANSFORMING
THE CULTURE OF CONDITIONAL RELEASE**

My personal experience relating to this subject has been echoed by many other prisoners while I have served my sentence. I have found that most of the Institutional Parole Officers (IPOs) who I have dealt with have very similar beliefs and attitudes when it comes to honouring parole eligibility dates. It seems that for a majority of them our parole eligibility dates do not really matter or that we are not ready, in their opinion, even after we have completed our Correctional Plan. I have found that in my case, and in most of the prisoners that talk to me about their case, we are being persuaded and pushed to waive our right to apply for parole when we are eligible. I have been told things by IPOs such as “I will not support you for parole unless you wait it out”, “I am 99.9% sure that you will not get parole if you do not waive or postpone your application for parole”, and “why are you in such a rush to get out of prison?”, at which point I had been in prison for over half of my sentence.

With respect to Parole Board Canada, I have not been in front of them for almost a decade when I was serving a previous sentence. However, I have observed that more prisoners are getting day parole over the last couple years both in Mountain Institution and Mission Minimum Institution since the new Liberal government took office. This has been a positive development for prisoners looking for more reintegration opportunities to ensure their success in the long-term. Work in this direction should continue in order to enhance correctional outcomes and public safety.

Mission Institution

P.R.

VOCATIONAL TRAINING, PROGRAMS AND JOB OPPORTUNITIES

The conservative ‘tough on crime’ approach trickled throughout Correctional Service Canada (CSC), negatively impacting both staff and prisoners. As a result, the foundations of belonging and rehabilitation were eroded, while opportunities to attempt to better oneself and morph from a nuisance to a contributing member of a growing society were stripped away in an attempt to appear pro-public safety. In the process, vast sums of taxpayer dollars were wasted.

Basic vocational training opportunities such as first-aid, WHMIS, H2S alive, forklift training to name a few are still offered, albeit very sparingly and with unrealistic criteria to qualify to get access to them imposed. Waitlists and general transparency regarding programs required to address dynamic risk factors are challenging and almost non-existent. The ability to learn about oneself and one’s criminal past, coupled with a chance to replace harmful thinking and pro-crime attitudes, hinges on CSC and their officers’ willingness to deliver programming opportunities. Some prisoners wait twelve to twenty-four months to receive programs they are mandated to take as per correctional plans.

So-called employment opportunities within the institutions have been clawed back, withdrawn, or split in half, creating conflict among prisoners, a poor work ethic, and hampering the ability to develop life skills such as motivation, continuity, and attention to detail. There are very few educational avenues available. Even the attempts at self-education through prisoner paid for correspondence courses are met with extreme administrative red tape and an all-around lack of support. There are limited opportunities to pursue some recognized trades, however course material, and access to write exams is outdated, and generally denied.

On paper, it may seem as if the penitentiary system is geared towards accountability, restoration, and rehabilitation, but in fact the system is broken beneath the surface, morale amongst staff is low as most feel handcuffed by unrealistic and uneducated political bureaucracy focused on punishment to win votes, as well as support from the lay public. The criminalized feel uncared for, which in turn lowers esteem and creates

explosive environments where people, both prisoners and staff, experience physical and mental trauma.

The idea of using one's prison sentence to reflect, rebuild, renew, and attempt to return to society seems a thing of years gone by, a relic of history, much like most of the education and opportunities offered to federal prisoners at present.

Mission Institution

Ronald Small

Thank you for giving me the opportunity to share my thoughts and experiences while being incarcerated in the Canadian federal penitentiary system and declared as a ‘dangerous offender’. I served a lot of years at Mountain Institution and finally I earned my way to Ferndale Minimum Institution. I was at Ferndale Minimum for nearly five years, until 1 May 2008. I was shipped to a higher security – Mission Medium – when all ‘dangerous offenders’ who were in minimums across Canada to be placed in higher security. Staff used creative writing to justify this and as a result there was ten of us from Ferndale that were removed. The only problem I had at Ferndale was that I tested positive on a urinalysis test, which was the result of my taking a dentist prescribed Tylenol 3. I served several days in segregation for that and became the victim of creative writing so this punishment could be justified. The fact is, I was punished for something I should not have been punished for.

While I was at Mission Institution from 2008 to 2015 *life* became pure *hell*. In a span of two years, I had approximately eighteen institutional parole officers (IPO). Some were correctional officers in acting positions as parole officers. I even had a clerk acting as one. In 2015, the Parole Board granted me day parole. Unfortunately, I breached my conditions in 2016 and was placed at Mountain Institution. In this document, I make reference to *The Standards of Professional Conduct in the Correctional Service of Canada Declaration*, hereafter referred to as *the Declaration*. Enclosed you will find ten items I believe should seriously be looked into.

INSTITUTIONAL PAROLE OFFICERS

IPOs must be held accountable for their actions and inactions. These people signed *the Declaration* agreeing to undertake and maintain, in the course of their employment, the standards of professionalism and integrity that are therein set forth. The last IPO I had at Mission Medium Institution routinely put false and misleading entries in my file. I told him several times this was illegal. His response was that he was exempt from the law and could do whatever he wanted, and there was nothing I could do about that. On one occasion, he laughed at me and told me to file a complaint. I obliged and became a victim of abuse from upper management. I also confronted him in early 2015, telling him he was

in breach of many of the conditions in *the Declaration* and also that I felt that he was ‘sluffing’ me off. He looked at me, laughed and agreed to what I said, then stated, “so why don’t you take me to court?” This is just a sample of what I had to deal with on the caseload of one IPO. Had this person been working in the private sector he would have been fired. I believe a study of IPOs should be looked into as I have witnessed many problems they have caused me and many of my fellow prisoners. These people are supposed to be role models for us. If we followed their current lead Canadian society would be worse off.

ACCOUNTABILITY

I believe case management should be held accountable for their actions and inactions. Upper management is also included in this to the extent that these people go through the process of covering up for themselves and their co-workers, which is getting really bad. Saying, “Sorry, I made a mistake and I will correct it”, is non-existent. The amount of time and taxpayer money that wasted on cover-ups is ridiculous. If a lot of these people were held accountable to *the Declaration*, they would be unemployed.

FOOD

The quality of the food we are given has really gone downhill. This budget saving project has turned out to be a failure. I have witnessed the kitchen staff hanging their heads in shame because of what they are forced to serve us. You will find that the waste of food being thrown out is extremely high, which converts to wasted taxpayer money.

PRISONER PAY

Our pay, along with the implications of paying additional room and board, has had a very dangerous and negative effect. Most prisoners do not have any money for themselves and with what little money we do get, it has forced an increase in sub-culture activities and also a financial burden on prisoners’ families. What I see happening now is prisoners’ planning their next score because they have no money upon release. I would suggest that Prime Minister Harper’s punishment agenda, which still has effects today, is

putting public safety more at risk by putting so many prisoners in a situation where they are forced to fall back on their bad behaviours.

CORCAN INCENTIVE PAY

When CORCAN incentive pay was taken away, I think it was a big mistake. This not only taught good work habits, but in many cases prisoners were able to financially help their families and loved ones. Why take this away from us if our families and the communities we return to are the primary beneficiaries?

TELEPHONE SYSTEM

This telephone system is a very expensive necessity, which a lot of prisoners cannot afford. Considering the little we get after additional room and board is deducted, we have very little left to cover the costs of communicating with our families and loved ones, especially if long distance phone calls are required. This has only limited communication with family, loved ones and support people, causing a financial burden on all.

PRISONER PURCHASING

Restricting prisoner purchases to a centralized catalogue system run by one company is a monopoly that few 'free market' proponents would ever tolerate. After additional room and board is deducted from our pay, we have very little money left to purchase items with. With what little money we make, we are now forced to buy products with inflated prices, price gouging, from a monopoly that is allowed to function without any real oversight. For example, London Drugs sells RCA 19-inch television for around \$120 or less. We are forced to buy the same television from the CSC contracted vendor/catalogue /warehouse for well over \$200. This is just one problematic example of many.

GRIEVANCES

This grievance and complaint system is completely broken, which the Correctional Investigator and the courts have routinely observed. This is

demonstrated in the *Spiedel versus CSC* case. In this case, a self-represented prisoner who was serving a life-sentence in British Columbia challenged the efficacy of CSC's internal grievance procedure and was able to establish that the organization "failed to provide a substantive response to his grievances in a number of cases". One such grievance took 242 days to even receive a single response from CSC, who are legislatively obligated to respond within 15 working days.¹ This system has been purposely abused by CSC, which also solidifies the many breaches of *the Declaration* by so many CSC personnel. *The Declaration* states that CSC staff are supposed to be role models for us. I think you would have to agree, CSC has really failed in this department.

WAREHOUSING

Warehousing prisoners at higher security is now common, particularly for those with lengthy sentences. I am a prime example of this practice. I was at Ferndale Minimum for about nearly five years, and then was shipped to higher security and punished for something I did not do. I was warehoused at Mission Medium Institution for eight years. In August 2015, the parole board told my IPO that he had failed to do his job and I was granted day parole. On many occasions, myself and many fellow prisoners have been told we "haven't done enough time yet". I have asked for the policy on this issue and got nothing but anger and abuse as a response.

HEALTH CARE

I have been victimized by the health care department like so many other prisoners. They are accountable to no one. I arrived here at Mountain Institution in 2016. I have arthritis and was given medication for that until it was cut down by a third by some doctor I did not know. It took about 45 days to see a doctor and get my medication back. It was the same doctor who took my medication away previously. While I was on parole, a street-doctor had me x-rayed and informed me I had advanced deterioration of my left hip. I put in to see the doctor here for help with the pain I have. This doctor looked at me, re-diagnosed me and gave me a needle in my left hip. I asked if this would help and he said probably not. Later that year, I asked to see the optometrist to get prescription glasses I needed. It took

ten months for this to happen. I have filed a complaint with the College of Physicians and Surgeons, but I do not expect much help. I have found, like many other fellow prisoners, that to receive help we need to take it outside of the institution. I personally feel the abuse we get from health care should be exposed and those people involved should be held accountable, even if just to the letter of *the Declaration*.

CONCLUSION

I could write more, but I believe I have contributed enough to help inform future reforms to CSC. I am writing this document knowing that I have a parole hearing coming soon. I have been advised my freedom could be jeopardized by my writing this document to you. I am an elderly man and will not be victimized by fear and intimidation, and bullying that is commonly used by CSC personnel. I really hope what I have written will be useful in helping to shape the future of federal imprisonment in Canada.

ENDNOTES

- ¹ Spidel v. Canada (Attorney General). 2012 FC 140.

Mountain Institution
Joe Convict for the Inmate Welfare Committee

The following includes a number of concerns raised by prisoners at Mountain Institution with respect to past penal reforms in Canada and what could be done going forward.

1. During the ten-year period that Prime Minister Stephen Harper's regime was in power they implemented a number of changes that have had a disastrous effect upon the lives that they touched. These most significantly affected 'dangerous offenders' and Lifers. Many of these individuals were on the verge of earning various forms of release, either to minimum-security facilities or day/full parole. Their release plans interrupted and put on hold until the government completed the review process prior to the implementation of many of the changes to Correctional Service Canada (CSC). In most cases here at Mountain, these individuals are now being subjected to serving many additional years before they will even be considered for any form of release. The likelihood of Lifers or 'dangerous offenders' attaining a release is now greatly diminished after the Conservatives very public tirade in which they employed their favourite tactic of scaring the hell out of the population with fictions, denying the fact that Canadian society had become safer before they came into office. There is a very clear pattern in which they artificially heightened public awareness and then refuse to release individuals' due to having a high profile in the community.
2. There is also a very real concern with regard to the fact that many of the people appointed by the Conservatives to key positions within CSC and related departments such as Justice Canada have not been replaced by the new federal government. The frightening thing for many prisoners is that these individuals appear to be leaving key aspects of the Conservative agenda of being 'tough on crime' in place, retaining prisoners in custody beyond what is necessary. There are a great number of on-going *Charter* abuses associated with the warehousing scheme. It is hoped that the new federal government will either replace these people or put in place a truly independent oversight mechanism, such as a balanced group of Senators or a similar model, in which said group would actually have the power to make decisions and impose sanctions. Such

extremes may be the only way to ensure fair practices and to take the strain off of the court system that will inevitably face more *Charter* challenges should necessary reforms to observe human rights behind bars not take place.

3. At least at this facility, there is a common practice in which Institutional Parole Officers are making promises and then failing to honour them when it comes time to act on them. It becomes a scenario involving the prisoner's word against that of the recognised government official. Prisoners tend to lose these arguments simply because they are incarcerated. We as a population would like to see a standardization of a practice where all agreements are provided in writing so the prisoner may have a written record as evidence that an agreement was made.
4. On a similar note as the third item, at one point in time there was a procedure brought about as a result of grieving unfair practices in which the officers would sign a section of a prisoner's request form and return one of the pages as a receipt for the prisoner to demonstrate that they filed for interventions or remedy within a particular time frame. The problem now is that most staff members have begun to refuse to sign these request forms and their immediate superiors are refusing to police them when this occurs. This is another example of why truly independent oversight is required.
5. As noted in a recent Auditor General's report, parole officers are intentionally taking away pay levels from prisoners in an effort to recover from overspending on the part of CSC elsewhere. Never mind the fact that they are heaping the accountability for their management on the backs of prisoners, a more serious problem that has arisen is that they are using the categories of 'motivation' and 'accountability' as reasons to justify taking away pay levels from prisoners. The real issue arising here is that the two categories have a direct and significant impact upon parole eligibility, while prisoners are also being denied support on the basis of alleged low motivation and low accountability. Further, the individuals who are assessing and grading these traits have no medical credentials to produce any meaningful or ethical decisions about these subjects. The people who are typically conducting these assessments hold the job title of CXII (Correctional Officer 2) or Institutional Parole

Officer. The practice results in gross abuses of power that must be addressed and curtailed. It should be a relatively simple matter to correlate the timing in which CSC began a widespread program of financial cutbacks, along with the significant rise in the practice of utilising motivation and accountability to deny pay levels.

6. There is a general consensus amongst prisoners, at least at this facility, that CSC seems to be reverting back to a system of punitive measures, rather than actually encouraging meaningful rehabilitation. One product is that many staff express views on a daily basis that are either demeaning or completely dismissive of pain and suffering. Many of these individuals simply ignore the directions provided by the courts and when prisoners complain to the upper echelon within CSC it appears that their complaints fall on deaf ears. Why do we even have a *Charter*? Again, there is a significant need for independent oversight to ensure compliance with the law. It is possible that the solution lay in the appointment of a true ombudsman only answerable directly to Parliament and not to the government of the day via the Minister of Public Safety.
7. There is another disturbing trend of using the maintenance program excessively to delay receiving support for any form of release, nor transfers to the minimum-security setting. It is logical to conclude that there will be the occasional prisoner that would benefit from an additional eleven-week maintenance course, but at some point it becomes an abuse of process. It is as though the maintenance program has been subverted for another purpose beyond what it was originally intended to serve. It is currently being applied in such a manner as to assess a prisoner's 'motivation' based upon whether he will comply with being told to repeat the course of maintenance or suffer the consequences. This process has been applied to some prisoners repeatedly and this practice seems to be spreading to become the standard practice.
8. There is an issue with the privatization of health care in that prisoners are getting substandard treatment and care. Prisoners are left in pain and denied the necessary treatment such as surgery or pain management programs available to persons out in the community. We are supposed to be receiving health care on par with citizens out in the community, but this is a fallacy. It has been

shared with the prison population that the person that holds the contract to provide health care had limited the amount and kind of medication a prisoner may receive based upon standards, rather than the actual needs of the patient. These policies were created in two main health care policies:

- a. The essential medical services handbook; and
- b. The national drug formulary.

The continued use of denied medical treatments are a direct violation of the Istanbul protocols of the World Medical Association and the United Nations' declaration of what constitutes torture.

9. Within corrections the free and fair market economy of purchasing has been compromised insofar as it has recently been privatized to an American company out of Texas, which hurts local business that historically benefitted from prisoners' purchases. While they were still in power, the Conservatives privatized the prisoner purchasing process, resulting in exaggerated mark-ups with items being as much as 200% to 300% greater than we were paying for the same items prior to the changes. When coupled with the additional 30% deduction for room and board implemented at roughly the same time, virtually every prisoner experiences financial hardships and those with families out in the community find themselves unable to provide financial assistance to them. How is it ethical for these new suppliers to get rich off of impoverished prisoners?
10. The present Correctional Investigator left his employment with CSC and stepped directly into a position of the Executive Director prior to assuming his current role, becoming what is portrayed as being an independent ombudsman. The position of the OCI has never been an ombudsperson and nowhere in the *CCRA* sections 159-196 does it use the terminology ombudsman. This is a misnomer used for a whitewash effect. There is a concern that there has not been any kind of cooling off period before taking this position and a greater concern arising from the fact that he is known to be a stalwart and advocate of CSC policy, including the denial of some of the harms of solitary confinement. CSC not only needs real oversight, but also a body whose recommendations are bidding.

There are a lot of prisoners who are terrified to speak out – even through written words that will be read by parliamentarians – for fear of retaliation from staff. There is so much wrong with the system, but I will try to keep my points brief.

“CSC BASHING” AND PUNISHMENT FOR PROTEST

There is now a mantra being pushed by all levels of Correctional Service Canada (CSC), including as a requirement for all participation in programs: there is a zero tolerance for “CSC Bashing”, which means you are forbidden to complain about their abuse. You can be expelled from a program if you raise too many abuse concerns in a session. They are even placing it in writing in the form of behaviour contracts, which prisoners are forced to sign. This agenda is also being pushed by every department within CSC: prison and parole officials, prison chaplains, Indigenous elder’s, psychology and health care, where psychologists and psychiatrists tell you out-right that they do not want to hear any “CSC Bashing” or they will terminate your interview if you continue. I believe this new brainwashing mantra is in response to CSC’s utterly corrupt and broken grievance system.

Further, there is a very real consequence of institutional charges, segregation, and even being sent to the max if a prisoner persists in naming an abusive staff member or accusing them of a crime. I have personally been told I may no longer use the word torture in anything that I write, in either a grievance or request, and if I do, I will incur the previous consequences. When I continued to demand a torture investigation be conducted by the Royal Canadian Mounted Police (RCMP), which to date has been refused, and to speak out about being medically tortured by doctors and nurses, refused the necessities of life, criminally neglected, criminally harassed, and criminally intimidated by staff to silence me and the like, I was charged repeatedly. When the institutional charges were heard, and I demanded a copy of the damning recordings of their criminal threats and harassment, institutional management destroyed the tapes.

I find it puzzling why little is being said in the public domain about CSC’s culture of extreme secrecy. Throughout the country, the greater majority of staff refuse to wear their name tags or identify themselves,

which they are required to do by law. If a prisoner actually dares to ask a guard for their name, it will result in a ballistic confrontation. I have been repeatedly charged institutionally and found guilty of being disrespectful for simply asking for a staff member's name. I have also been jumped by guards, handcuffed and thrown into the hole for asking to speak to the supervisor of guards who would not give me their name. All grievances and complaints about this are denied, including at the national level. Can you say: "Secret Police"?

DETERIORATING JUSTICE: THE CCRA, THE OCI AND THE POLITICS OF PUNISHMENT

That being said, I think your current study should move beyond the reforms that were enacted while the Conservatives were in federal power to look at our deteriorating justice system even before they came to office. I believe there should be a real review of the penitentiary system since the inception of the *Correctional and Conditional Release Act (CCRA)* and *Correctional and Conditional Release Regulations (CCR)*, which was made law in 1992 by a Progressive Conservative Government. The Conservatives of the day began with a broken model, knowing it would fail to meet reasonable or modern standards of justice. They created a penitentiary model that would allow them to continue to tinker with it for years, all in the name of perfecting their "tough on crime" credentials to which, previous Liberal governments, also jumped on board on occasion. Conservatives and the Liberals knew it would be a reservoir of political capital which they could mine for decades, until inevitably, a new system of laws would have to be created.

I have been in prison for the last twenty years straight and I can tell you the rot started long before the last Conservative government came to power. Remember it was the Liberals who took away personal computers, cooking pots and coffee makers from cell use. They have done away with advanced education subsidies and true rehabilitation training in the trades to name just a few.

There is a very systematic agenda of removing all correctional staff's accountability, through a mastery of propaganda campaigns and distractions such as all Office of the Correctional Investigator (OCI) reports. To explain, the OCI has not now nor have they ever been an Ombudsman. They are

a part of the *CCRA*, which is the same act that governs the penitentiary system. Nowhere in the *CCRA* does it use the word Ombudsman to refer to them. An Ombudsman is answerable to Parliament, which they are not. They are answerable to the federal Minister of Public Safety and whichever party happens to be in power. All of their reports give the illusion of accountability without there being any changes to policy because there is no teeth to their recommendations.

There is a flourishing culture of brainwashing, harassment and torture that the OCI has become a very real part of. Their omissions, refusals to investigate torture complaints and their determination to protect individuals guilty of blatant acts of torture, and criminal-level abuses, has become ethically and morally repugnant. If a prisoner complains of a serious crime or abuse being perpetrated against them by a CSC staff member, in their written responses, the OCI often sides with them based on the version of events the institution decides to put forward, despite all evidence to the contrary that indicates a crime being perpetrated against a prisoner.

This entrenched culture of corruption is meant to protect CSC against any allegations that would lead to a civil suit or undermine their appearance of legitimacy. Given the nature of the OCI's public mask of being above reproach in their findings, if they would more frequently find, in writing, to be in favour of the prisoner, it would give great weight to a prisoner's allegations in any court room. This would lead to more civil actions being filed and won against CSC. Ultimately, this would undermine Canada's propaganda of having a system where the rule of law and the human rights of its citizens are respected.

If you need further proof of the OCI's culture of corruption just look to their historic unethical hiring practices. They routinely hire staff right out of police forces and CSC, who obviously carry their previous loyalties with them. Further, an OCI official can find themselves investigating an institutional complaint, with the full knowledge they will be gainfully employed by CSC in near future.

If you think the abuse is just happening to prisoners, I have witnessed CSC and OCI staff victimizing each other. The RCMP has just begun to expose their harassment culture and I can tell you, CSC is far more corrupt than the RCMP, and more secretive to boot. A staff member who speaks out about abuse, either against one of their own, or on behalf of a prisoner, will be fired or driven out.

The *CCRR/CCRA* was supposedly meant to improve conditions and create an environment of prisoner accountability and rehabilitation. However, since its inception there has been a very systematic dismantling of its claimed purpose through more and more arbitrary interpretations of the Commissioner's Directives (CD) and institutional standing orders.

If the Liberals really wanted to be bold in this new world of incarceration, which borders on mass imprisonment for some populations like Indigenous peoples, they need to create a new justice model based on what works. Just think, a new model, using the dynamics of other countries' successes and Canada's own Indigenous justice concepts. They have a real opportunity to mold modern justice methods that would truly surpass the *CCRA/CCRR*, as one of rehabilitation, accountability, and true restorative justice. Bringing such a bold plan forward, would of course, be a boon for the narrative the Liberals are pushing that they are the progressive choice of the future. It would be difficult endeavour, but one I feel is worthy in the minds of many.

How long has it been since Prisoners' Justice Day began? More than four decades after its inception, prisoners are still being murdered and tortured to death by guards. Just look at the recent torture and outright murder of prisoner Hines in Dorchester Pen as recent proof. Prison guards brutally beat him as he was heard to scream: "please help me they're killing me, please don't let them kill me!" At the time of his death, his parents and the public were told he died of another cause. Evidence as to the cause of death shows his lungs were full of water. They literally water boarded him to death. They claim, however, that his lungs spontaneously filled with water because of pepper spray. CSC forgot to disclose to the public that he was found after death in the shower with his soaking wet t-shirt wrapped around his head and arms. This story is the epitome of oppression against the very vulnerable Canadian prisoner. This behaviour has become normalized inside prison walls.

Out of sheer boredom staff routinely look for a reason to brutalize, and if they cannot find one, they incite one. CSC guards see how the American Justice System turns a blind eye on cops and prison guards, who kill with impunity, and seemingly wish to emulate them. From my perspective, the current treatment of prisoners in Canada must be called what it is, a "national disgrace".

PRIVATIZATION OF PRISON ADMINISTRATION

Why is nothing being said about the Conservatives' privatization of several aspects of CSC administration and legislated responsibilities? Below are a few examples.

Prisoner Purchasing

All prisoner purchasing of allowable property, health supplements and the like is now done through a National Centralized catalogue. The supplier is out of Texas and has marked up products prisoners can buy locally by up to 300% to 400% percent. They have cut out local Canadian suppliers and retailers altogether. When you compound this with the abolition of food drives (i.e. prisoner's occasional group purchases of fresh foods from grocery stores and restaurants), there is a real multimillion dollar economic price being paid by local Canadian businesses in the form of lost revenues. Not to mention the fact that this is not in keeping with Canadian laws pertaining to a free and fair-market economy. This new privatized purchasing system is based on sheer greed and price gouging of one of the poorest demographic in Canadian society.

Health Care

One of the most life-threatening decisions was to privatise the provision of health care to federal prisoners. All CSC doctors are now contracted by a private corporate carrier, who holds the contract to provide doctors to a penitentiary. CSC has ceded its legislated responsibilities (CCRA, 85 to 87) to a private contractor, who will obediently carry out any CSC or state agenda. By law, CSC is responsible for the hiring of individual doctors and to ensure they meet provincially regulated standards. Currently, there is no federal oversight body who licenses doctors. There are also no federal laws to protect the prisoner from extreme medical neglect or abuse, and yes even medical torture is now routine. I speak about torture as defined by the *Istanbul Protocols* (I.P.) and the internationally accepted ethical standards of doctor's para. 51-73 of the World Medical Association (WMA). These protocols, among others were created for the UN to assist the world courts in determining what constituted torture. The above-mentioned paragraphs, define the ethical responsibilities of doctors who work for the state.

HEALTH PROFESSIONALS WITH DUAL OBLIGATIONS

The privatized medical contractors who work for CSC are placing their lucrative contracts above the health of their incarcerated patients.

Health professionals have dual obligations, in that they owe a primary duty to the patient to promote that person's best interests and a general duty to society to ensure that justice is done and violations of human rights prevented. Dilemmas arising from these dual obligations are particularly acute for health professionals working with the police, military, other security services or in the prison system. The interests of their employer and their non-medical colleagues may be in conflict with the best interests of the detainee patients. Whatever the circumstances of their employment, all health professionals owe a fundamental duty to care for the people they are asked to examine or treat. They cannot be obliged by contractual or other considerations to compromise their professional independence. They must make an unbiased assessment of the patient's health interests and act accordingly (United Nations, 1999).

Contrary to the above, CSC contract doctors, as a matter of continued employment, place the wants of CSC above the medical needs of the prisoner. Presently, CSC doctors can get away with refusing us proper medical treatment equal to that of community standards of professionalism (CCRA 86, 2) through serious jurisdictional loop-holes. For example, the provincial legislative body who created the "provincial by-laws" that enable doctors and other health care professionals to be licensed under a college of their peers, have absolutely no jurisdiction over a federally contracted doctor's behaviour. The reason for this is that these doctors are acting under the direction and pay of the private contractor who is beholden to the federal government, an institutional management for which a contract is held.

These doctors are not under the provincial healthcare system and blatantly refuse to give their full names or private practice addresses when requested by prisoners, interfering with formal complaints to provincial colleges. Doctors are given their legally binding marching orders because of their private contractor agreements to abide by CSC's determination of what medications and medical treatments should be available to prisoners. These unlegislated and unregulated, CSC-created, medical delivery protocols, are

known as “the national drug formulary” and “the essential medical services handbook”. This includes an unwritten (or written in contract agreements) rule that allows for the suffering of prisoners by refusing or severely restricting pain medications and other treatments as a matter of course.

Medications and medical treatments are being cut off as forms of punishment if you are accused – even without a shred of proof – of non-compliance with a doctor’s prescription parameters. In some instances, unsound medical demands ensue (e.g. I was told I would be cut off essential pain medication “as a punishment” if I did not take an unnecessary anti-psychotic drug, Stemetil, that I did not need or want). One month later a doctor at Mountain Institution carried out their threat and cut me off. Now as a matter of a directive from CSC national headquarters, I may not receive any form of pain therapy medication, see any pain specialist, or doctors who are not under the control of the contracted health care provider who would inevitably contradict the current “medical torture” agenda of Mountain institutional management and doctors. I have the above in writing.

Further, “suspicion” of the diversion of a medication by any staff member, even non-medical personnel, will result in being cut-off of all essential medications and medical treatments, including anti-psychotic and schizophrenic medications. Also, if staff want to target a prisoner with serious psychiatric disorders, doctors are ordered to cut the prisoner off of their necessary medications, so staff will then have a reason to go after that prisoner. These prisoners will inevitably have a psychotic or schizoid episode (i.e. a mental break from reality). These prisoners often become violent, begin to self-harm, and/or become the target of prisoner abuse because of bizarre and irrational behaviours. This leads to long terms spent in segregation where they are then seriously abused by guards in a secretive environment.

As sad and horrifying as these realities are, they say nothing about the fact that many prisoners are being routinely given unnecessary psychiatric drugs by unscrupulous psychiatrists and doctors as a form of power and control over prisoners (i.e. babysitter drugs or ‘bug juice’). These drugs are still being inappropriately prescribed.

The use of unnecessary drugs such as Seroquel have a cumulative effect on the brain and probably causes a deterioration in one’s ability to cope. This inevitably leads to behaviour problems which guarantee longer stays in the penitentiary, more time in segregation, more institutional charges and

security incident reports, as well as escalations in security classifications and placement into higher security facilities, and reoffending upon release.

Why, you may ask, would CSC employ these repugnant, immoral and unethical practices? It all boils down to job security and guarantees more income for federal government employees. The higher the security level, including segregation at any level, the higher the costs, not to mention what has become a grotesque waste of hundreds of millions of tax-payer dollars being unnecessarily paid in “over-time” for CSC guards. Remember, the prison industrial complex generates billions towards Canada’s GDP. The Canadian government, whether Conservative or Liberal, do not want to see this end, because the end of the criminalization of the poor, minorities, the uneducated, and the mentally ill would cost jobs. Alternatively, the reality is, more jobs would be created by a healthy populous ability to be gainfully employed, but it is more expedient in the short-term to lock people up, rather than better their plight.

Intentional medical neglect and the withholding of emergency medical and dental services, along with the use of a prisoner’s medical treatment needs as opportunities for abusive guards, are just some of the daily practices we endure. These practices have become so normalized that they can only be described as what they are, a government initiated “program”.

NEAR DEATH EXPERIENCES

My life has almost been repeatedly cut short by CSC’s agenda of medical torture and intentional neglect. Most terrifying is that this is a provable ongoing campaign to end my life in the most horrific and painful way possible. I have zero protection from this horror of an existence, as there are no mechanisms in place in Canada to protect me from my torturers. I am refused legal-aid and not a single organization or lawyer, from the hundreds I have contacted over the years, will help me. I cannot afford the \$70,000 to \$100,000 up-front costs to retain a lawyer for a medical malpractice and torture suit against CSC and their doctors.

What is most insidious about this form of torture is that government officials of all levels, including CSC staff and medical personnel, get to use my own body and medical needs as a weapon to cause me pain, suffering and my inevitable death. CSC gets to use my disease as their favourite point of contention and a convenient vehicle for the constant harassment and torment I receive for complaining.

For example, when I am listed for an outside healthcare appointment, escort guards will routinely subject me to humiliation sessions that can sometimes last for hours. This behaviour includes screaming profanities at me, name calling, refusing to feed me or give me water, degrading me by forced strip searches where females and other staff are walking around, mocking my body, making sexual comments, and in some instances I am even forced to use secure, but public toilets in the hospital with the door wide open while members of the public and hospital staff have a clear view of me. When I vigorously complained to Mountain Institution management, I was told that guards are allowed to exercise their absolute discretion in how they wish to treat a prisoner while on escort. Now because I refuse to be escorted by these abusive guards, I am refused all medical escorts.

Of note, not all guards engage in these practices and those who do are the minority. For me, however, because I have named the abusers, as part of CSC's harassment campaign to silence me by any means possible, I may have no other escorting guards except those who terrorize me. The reason for this is so when I die as a result of medical neglect they get to blame me, stating that I refused to be escorted to medical appointments. These tyrants get to sit back, watching me suffer a horrible preventable death, without raising a finger to help. In the end, they will be able to say I died of natural causes, when in fact they will be 100% responsible for causing my death. From my perspective here, living in this daily hell, this is the epitome of diabolical, premeditated murder through medical torture and neglect. This is also a clear example of the Canadian government's total loss of all human decency or respect for the rule of law.

If you think I am being too over-dramatic, I will relay just a few examples of what I am enduring and I will let you draw your own conclusions. For many months now I may no longer see any doctors except for corporately controlled doctors who are beholden only to the medical contract holder of Mountain Institution. If I refuse to see a doctor who has been abusive, negligent and torturing me, I am refused all medical treatment. In other words, these doctors can neglect and abuse me to death without fear of consequences, and I have zero protection or recourse left. I have even told these four doctors to their face that I do not want to be treated by them and want to see another doctor. Their responses (in writing) are that they do not care whether I consent to be seen by them or not. According to them and CSC, I have no choice – it is them or they will leave me to suffer and die.

I have been repeatedly hospitalized near death with blood pouring out of me, after what is now, more than a decade of neglect. I have been begging for years for help from every conceivable avenue. And I am always given the same responses, “It’s not my job”, “let me suggest so and so organization”, and so on. Everyone passes the buck or ignores me outright, refusing to respond in any way. The present Minister of Justice Jody Wilson-Raybould and the Minister of Public Safety Ralph Goodale are cases in point. After more than a year of begging and pleading for my life, and for them to help me to end the medical torture and neglect that I am enduring, both cabinet ministers, not to mention my own local MP, all refused to help me in any way or put a stop to my horror of an existence. Once again, I now face hospitalization and I am rushing to finish this letter before I am incapacitated for months. I am in a full blown ulcerative colitis flare-up, I am in crippling pain, bleeding internally, and have chronic bowel movements. The institutional management and medical staff have made it clear their agenda is to neglect me to death.

In 2015, after enduring more than ten years of neglect for internal bleeding due to CSC’s refusal to band two internal hemorrhoids which led to the complication of developing ulcerative colitis I was hospitalized. For approximately eight weeks, I was in an isolation cell in Kent Institution suffering from a full blown attack and was refused all forms of medical attention. The attending physician of Kent Institution refused to even examine me. Management isolated me in basically a deserted part of the institution to hide me from too many witnesses. Without a doubt, I was left to die. I was using the toilet about 70 to 80 times a day around the clock discharging bloody diarrhea. During the last few weeks there, I was literally screaming in agony every-time I used the toilet. Sometimes I would find myself on the floor after I had passed out from the pain. Over the last month prior to hospitalization, I developed more than six hemorrhoid thrombosis, both internal and external (which are basically massive blood blisters that swell from the size of a golf ball to a grapefruit and then burst causing hemorrhaging). Hemorrhoid Thrombosis usually form when the ulcerative colitis has reached the last stages of a flare up and it is the number one cause of death from those who die from an attack of this kind.

The day I was finally taken to hospital, I had one of these internal thrombosis, which was the size of a grapefruit burst and I began to hemorrhage in earnest. The problem was that the thrombosis had caused

a blockage in my bowels and was preventing me from having any bowel movements. After almost two days, my abdomen was massively swollen and distended, and my body took over as I sat on the toilet. My body, in an uncontrollable strain pushed until I literally heard and felt a pop inside of me as diarrhea and blood began gushing out. By the time I was done, I had filled the toilet to the top of the bowl. I began screaming for help and pushing my emergency medical button. The guard who responded refused to look at all the blood and finally called health care after I begged all day.

When two nurses showed up, I told them I was dying and needed to be taken to hospital immediately. At first, they began mocking me and said I was going nowhere, nor would they help in any way. It was then that I told them if they thought they would get away with murdering me through neglect they were wrong. I listed the many witnesses I had both inside and outside, including MPs and the media, that they were neglecting me to death. They then became obviously frightened and asked what I wanted them to do. I told them to send me to the hospital right now, because I was dying.

The receiving doctors in Chilliwack General Hospital told me when I finally arrived, I was suffering from extreme dysentery and was less than 24 hours from death, as I had already lost much of the blood of my body. They also said that mine was the worst case of neglect they had ever seen. I ended up receiving four blood transfusions and spending six weeks in hospital.

In 2016, after complaining of deteriorating health for ten weeks, I began begging for my life as a massive hemorrhoid thrombosis had formed in my bowels and was blocking my ability to use the toilet. This was the kind of ulcerative colitis attack which usually causes hemorrhaging and death, to which Mountain Institution doctors and nurses refused to send me to hospital. I also begged the OCI to help me and they refused to help. Three days before the thrombosis burst, while at health care, a nurse began throwing diapers at me while laughing, saying they were to soak up the blood with when I started to hemorrhage. I actually offered to beg on my knees to go to the hospital. This made them very angry and they ordered me to leave health care because according to them my behaviour was threatening and erratic.

That same month, the internal thrombosis burst and I began hemorrhaging. I began begging a guard to take me to the emergency room and was refused. Further, the Correctional Manager in charge of such decisions refused to see me. The message I was given by the guard was that “you should fuck off and die.” It would take me more than ten hours to be seen by medical staff and

taken to hospital as they refused to assist me in any way. I had to deal with guards, for hours, telling me I was faking it and if I was not that I deserved to die because they were sick of listening to me complain.

Over a period of almost two weeks that followed, a CSC contracted physician refused to stop the hemorrhaging for 9 days and had to be forced by a surgeon that my family had contacted. Over the first nine days I lost more than 15 liters of blood, requiring 8 blood transfusions. I know this because nurses collected and weighed each bleeding session in disposable bedpans every 30 minutes around the clock. On day two of my hospitalization while I was sitting on the toilet with blood spraying out of me, CSC's contracted doctor opened up the bathroom door and told me I would not be examined until a few days later. I showed the blood spraying out of me and asked, "are you going to let me hemorrhage here for two days with no treatment?" The first response was, "it will stop on its own". I said it will not stop on its own as I have already been bleeding for more than two full days. The doctor then became very aggressive and said, "you're lucky I'm seeing you at all. You were not scheduled to be seen for another month. So just be grateful I'm seeing you at all. Besides it's not two days". I again said, today is Monday and Wednesday is two full days away, what do you mean, it's not two days?" In response, I was told, "Today is almost over, so today doesn't count". The doctor then screamed at me, "you need to learn to keep your fucking mouth shut!" and slammed the bathroom door in my face.

I felt so helpless, humiliated and outraged. I could not even get up as blood was still spraying out of me. By the time I did manage to get up I was hysterical with absolute terror. I had the overwhelming feeling they were going to let me bleed out. I began screaming "Help me Dear God, Help me!" I told the guards I would not die without a fight and if they did not get me medical help right away I would force them to shoot me or I would dive out the window. At least this way I would leave this world fighting, on my terms by my own hands, and not tortured to death by sadistic doctors like many of my Jewish ancestors were.

Nursing staff came in, and between them and the two compassionate guards they finally managed to calm me down. Aside from occasional comfort, I endured abuse for 13 days at the hands of many nurses, doctors and guards. For 13 days, I was not allowed any form of entertainment. I was refused writing paper, magazines, books, a TV, and had to watch as guards played their DVD's and surfed the net. My only entertainment was to keep

track of how much blood I was losing. During my whole stay, low ranking guards had absolutely no supervision by superiors. I was refused all access to management level staff and any complaints were turned against me by abusive guards in toxic reports.

When I returned to Mountain Institution, in an effort to silence me, staff began a harassment campaign against me. They demanded I stop using the word torture or accusing anyone of torture or they would segregate me, send me to Kent Max or start institutionally charging me. They did charge me repeatedly, then destroyed the minor court recordings to cover up their crimes of criminal harassment, neglect causing harm, assault with restraint equipment, attempted assault, torture, intimidation, and intimidation of a justice system participant not to mention a host of *Charter* violations. This harassment went on for months until they thought I had stopped complaining. What I did instead was to change tactics. I began to finish a manuscript I have been working on for years about the torture and brainwashing culture within CSC.

For the record, the Correctional Investigator's Office was and is an active participant in the abuse and cover up of the crimes being committed against me. I have been told by an official there, "You know that we will never help you in any way, so why do you keep calling and wasting our time". They told me they were sick of me calling and banned me from calling to complain. They have said I may only write, and they refuse to investigate any CSC staff wrongdoing against me, even those staff whose neglect has just about cost me my life repeatedly. They also say that they have no jurisdiction to investigate complaints of medical neglect or medical torture. They also side with all CSC decisions even if it could cost me my life. Being tortured is now the norm for me.

PATHS FORWARD

There needs to be a full Canadian Auditor General's audit of CSC's historic non-compliance with:

1. Their obligation to provide the necessities of life to prisoners.
2. The Constitution and *Charter*.
3. All laws and acts of both provincial and federal parliaments.
4. Protecting prisoners against acts of torture and to provide a complaint process in which such criminal accusation is investigated.

Further, if a person does complain of torture against state officials they should be protected against those they have accused of torture.

As it stands now there is no mechanism in Canada by which a Canadian prisoner can lodge a formal torture complaint. Remember, the Correctional Investigator is answerable to the government of the day. They are not now, nor have they ever been a separate entity from CSC as their mandate exists within the same Act of Parliament. They function hand in hand with CSC to protect the staff of CSC from accusations of torture. If this is not the case, then how would it have ever been possible that Ashley Smith and other prisoners like her died in the first place?

REFERENCES

United Nations (1999) *The Manual on Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment* (THE ISTANBUL PROTOCOL), Submitted to the United Nations Office of the High Commissioner for Human Rights – August 9.

To be very clear, my story is not about me decrying the fact I am in prison. I am very guilty and justifiably sentenced as a ‘dangerous offender’. In my own opinion, I should be incarcerated for a very long time. My complaint is the state of incarceration with Correctional Service Canada (CSC) penitentiaries today.

I have been in for eleven years on this sentence and eight years on a previous one starting in the 1990s. The decline of the system could be seen in the late-1990s, even before the Conservatives took federal office in 2006. Yes, prison ‘clientele’ has changed over the years. There is way more of a gang mentality, coupled with way less respect and personal integrity. However, the system has not changed its policies and procedures accordingly or appropriately to address this ‘new generation’. They have fought fire with fire only creating a much larger fire. There is also a change for the worse in attitudes of new and younger employees. New prisoners and new staff both seem to have an unhealthy sense of entitlement, disregarding the bigger common good, which necessarily takes some sacrificing of personal comfort. As for staff, in my opinion, the worst culprit in the 1990s was the guard’s union playing games – directly and indirectly creating a more volatile environment – for bargaining chips at the contract negotiating table, which continues to this day. However, since the Harper administration things have gone drastically downhill with the management of cases and a continuing loss of privileges. It feels like the only freedom of choice is in how we choose to react to adversity, which is very disempowering.

Maybe I am getting old, but I see in the employees here a reflection of our socio-cultural decline in society – poor work ethic and everyone looking out for number one – which manifests itself in doing whatever is necessary to keep job security. Relations between prisoner and staff are worsening with things becoming more and more confrontational and adversarial. Even relations amongst staff are often tense, cold and uncooperative. Politics and media only fuel the drive for self-survival (CSC’s that is) at the expense of humane, realistic, cost-effective and beneficial-to-public-safety practices in the system.

I think just about anyone with some insight into human nature and basic psychology would agree that what is behind nearly every criminal’s anti-social behaviour is low or no self-worth. The current penitentiary environment only deepens and reinforces these negative deepest beliefs

about ourselves. There is very little reward for sincere hard work and efforts towards change, and too much punishment for airing grievances, as well as issuing requests and making comments. Case Management Teams outright lie, exaggerate, and tailor documents to reflect the narrowest scope and most damning impression of the prisoner. They have become very skilled in creative writing and delaying tactics – “sluffing us off”.

There have been outright threats, but much more implied threats to any prisoner who pursues their rightful parole eligibility to the Warden and at parole hearings if it interferes with the Institutional Parole Officer’s (IPO) own plans/ulterior motives. The pen is truly mightier than the sword. There is no room for human expression of natural modest emotion. My IPO once wrote in an Assessment for Decision (A4D) that they felt I was engaging in my ‘crime cycle’ because I expressed my frustration with their delaying and avoiding my requests to meet and get working on applications. Trust me, it was a very mild expression – a staff member standing right next to us at the console did not notice anything other than regular conversation. You can imagine how that looked to the Warden at my hearing. And get this – I only received a copy of that A4D a minute before going into the hearing with no time to read over it to see what he had read already. It was not until after the hearing, in my cell, that I read it and almost choked at how overblown some comments were. My IPO rarely met with me, and only briefly, so how could they have any read on who I am? This is only one example of many and of what many others have experienced.

Today I am gun-shy. I am scared, at times filled with anxiety when I have to deal with them. It reminds me of being a kid when my dad would blow up on me and I had no idea what for. I cannot just be myself in any interaction with them. Therefore, they may be getting an inaccurate impression of me and our encounter. The most accurate of my many assessments over the years was by a psychologist here who spent a whole five hours in total interviewing me. It was not glowing or supportive, but it was accurate – my warts and all. This I respect and can work with. Sadly, this more detailed and rigorous report was not referred to by any other writers (i.e. my IPOs). How convenient.

I am sorry I cannot articulate better a more specific list of ten things I see requiring systemic change, but I am sure you can extrapolate a few from what I have written. All I can state is the Case Management Team hierarchy, the ‘intervention’ line of people, are all scared to risk their job security, do

not want their wrists slapped or hurt their chances promotion by supporting someone. We had one program facilitator who eventually quit their job because they had integrity and because their superiors kept returning his final reports after being quality controlled saying they were too supportive (i.e. not critical enough). At each level, under the previous administration the writer's afraid of their superior's reprimand all the way up to the Prime Minister. Most importantly, I strongly believe the training is all misdirected, inadequate and unrealistic.

To be fair, I have faith in the goodwill and natural wisdom of people when allowed to be expressed freely, without repercussion. Therefore, here are a few recommendations for positive change:

1. I personally believe the IPOs are overworked, leaving them unable to commit much attention to any one case. They need to spend more time with each prisoner, so hire more of them.
2. Free the reins of the IPOs, removing any threat to reporting their own true assessment to their superiors.
3. Provide much more initial training and on-going training to all staff for all positions and at all levels. They constantly need reminding we are human beings and not just a commodity that serves their job security – psychology, social work, sociology, compassionate training and the like, coupled with a hard look at the deeper needs, fears and pain of prisoners. To me, this simply translates into realistic common-sense. I cannot say enough about appropriate training and maybe better screening processes in hiring. Hire those with a bigger, or higher, or more long-term and more inclusive view of justice. Whatever happened to the restorative justice movement that CSC itself claimed to be a part of? Lip service again?
4. Offer much more, and always available, trauma counselling for staff members themselves. They require individual and group therapy for some of the things they encounter at work.
5. I am not really sure how realistic this one is, but what about separating prisoners who clearly prove they want to help themselves from the 'other' ones. Set up tiered programs and environments where the individual is enabled to continue growing and changing, developing self-respect, self-worth and a sense of purpose. Offering practical and effective job skills would go a long way.

6. Here at Mountain our access to the Chapel and social events have been drastically reduced. There is nothing to do. This, in turn, has diminished the 'life' of the joint, reducing outlets for positive interaction and things to look forward to. Of four hundred prisoners, we have a hard time finding enough guys to put a team sports together. The enthusiasm or spirit has been lost. The Security and Programs departments need to loosen the reins to realistic and productive levels on reasons to deny events. The Lifers' Group is barely functioning without a common lounge/office with the ability to only meet every two weeks in Visits & Correspondence. Of approximately one hundred and thirty eligible members, there are maybe twelve or less regulars. Incentives have been removed, such as better fundraising options and connections to community organizations. This brings me to the next suggestion.
7. Again, the Security and Programs departments need to loosen the reins on the ability of visitors and volunteers to enter the prison and interact with us. The ion scanners are unrealistically hypersensitive, hence unreliable. Family and loved ones are turned away after travelling hours and spending so much money. Volunteers have admitted to me personally they feel like they are treated as the criminal when trying to come in. CSC gives lip service of gratitude to volunteers, but in reality over-scrutiny and suspicion is overbearing and discouraging. The risk to benefit ratio is totally unbalanced in favour of oppression and counter-productivity.
8. Perhaps most important of all is, a piercing probing look has to be taken into consultants, policy makers and bureaucrats at the highest levels. All must be held accountable for legislated budget spending and their own personal motives. It only takes a few bad apples, with a lot of authority, to corrupt the whole bushel. We all know 'shit rolls downhill'. Maybe hiring a Correctional Investigator with the ear and sympathy of MPs and Senators would be a good start.

I am a huge advocate of the benefits of good human relations. Anything that cultivates and nurtures good relations can only translate into real rehabilitation and a safer society. Invest the extra funds today for the long-term savings. Who does the risk and cost-benefit analyses anyway? The media who conveniently profit from sensational headlines and extremely

unrealistic catchphrases like ‘one victim is one too many’ and ‘zero tolerance’? Or is it politicians and their big business buddies pursuing their power-lust and greed? It sure is not common-sense folk with society’s best interest in mind.

Change comes slowly – one heavy ball rolling will take time to stop and the next one needs to build momentum. Change, however, is a constant – it will happen. Let us just hope it is for the better. I for one appreciate any and all efforts for progressive penitentiary reform. A Russian author once said, “A society can be judged by the way it treats its prisoners”. Does our great Canadian society, taxpaying voting electorate, have the will to look at itself, as a whole, and ask itself this question: How do we treat our prisoners (and their loved ones and those who would help)? And would they like the answer... if they knew the truth and what that reveals about all of us?

Kent Institution

Anonymous Prisoners

During the era of Harper, which started in 2006, nothing but a string of negative policies and procedures were implemented time after time. This has caused us to feel more isolated, depressed and demoralised. The policies that have been implemented have served to strip us of our identities and to embarrass us continually. The reason for this sentiment will be outlined below.

The food quality has significantly diminished. Previously, we were offered a healthier selection of food that was for the most part cooked fresh on-site. When the cooking was done on-site we had input into the specifics of the diet, as well as the means of the preparation of the food we were consuming. Now that the process is centralized, it is impossible for us to have any input into quality concerns. The diet that is forced upon us consist of items that are classified as scoop-ables, that is they are served out as slop. All of the meals are smothered in sauces that give no nutritional value, and are loaded with artificial thickeners colors and preservatives. The food appearance is grotesque, consistent with vomit. The taste is often worse than the appearance. Approximately 20% of the penitentiary population here suffers severe digestive problems due to the food forced upon us. These range from bloody anal discharge, bloody stool, lower intestinal cramping and bloating, constipation and diarrhea, as well as stomach pains. Prisoners have described the feeling of digesting crushed glass, coupled with acid reflux and heartburn. Two of the three writers are currently suffering several of these symptoms. We feel this is tantamount to torture as we are forced to experience physical pain just to receive the sustenance to maintain life. Most seek help from outside health care staff hoping to receive food that does not hurt us and instead they receive medication that, at best, reduces the problems minimally. We also do not believe that the diet is balanced. We receive way too many calories from simple carbohydrates. Hearing our complaints, the penitentiary pastor chose to subject himself to a week of our meals to see it from our perspective. He came away from the experience concluding that the meals being served here were inedible.

We would like to bring to light the problems caused by the additional 30% room and board pay deduction. This is an absolute ridiculous policy that was implemented despite the fact that we have not had a pay raise since the 1980s. At that time, our pay checks were based off 15% of the federal minimum wage, which had already factored in the cost of room and board. We are being double charged room and board. If you factor in today's rate

of minimum wage in British Columbia of \$10.85 we should be making more than two and a half times what we were being paid back in the 1980s. Instead, we are being paid \$30 less than the 1980s wages per pay period. The most one earns at Kent is Level C pay, which is \$5.80 per day, minus the deductions, which never reaches \$30 per ten-day pay period. Due to the fact that most institutions are in rural locations and calls to family are long distance, these funds do not go very far to help us keep strong contacts with family and the positive supports that we have in the community. Due to the dietary issues already mentioned, it is necessary to supplement our daily diet with canteen items to meet our daily needs.

Purchase orders through our new catalogue is being monopolised by one provider who is not even Canadian. We are subject to inflated prices, low quality goods and a limited selection overall. The *Competition Act* of Canada clearly states that we have a right to the best possible price for items available to us. This Act is clearly being violated behind the walls of federal penitentiaries. For example, items such as a 19-inch RCA television, before the catalogue was introduced, cost \$99 plus tax. When the new catalogue was introduced the exact same television was listed for well over \$350. After a swarm of complaints, it was lowered to \$225 plus tax. How is this justifiable in any way? Having to purchase our clothing and accessories from one supplier with a limited selection also restricts our individuality and diminishes our sense of self.

In years gone by, prisoners had access to post-secondary education. Prisoners were encouraged to better themselves and acquire skills that could assist them in becoming productive members of society upon release. Now access to post-secondary education is virtually non-existent. Prisoners have to fight tooth and nail to purchase what courses are available to them through the mail as CSC is not affording the opportunity to access schooling via the web. Obviously, this is an archaic policy as it is 2017 and paper is obsolete. In the recent past, prisoners had access to any high school level program that they wished to participate in. Now, if you have a GED you are not allowed to participate in any pre-graduate course and you cannot obtain your diploma. If you wish to upgrade to post-secondary education you are made to pay for it yourself and most prisoners cannot afford this as it is at least \$600 per course, and we do not have any adequate source of income here. It would appear from any outside observer that CSC is in fact trying to inhibit our ability to rehabilitate ourselves, instead of promoting the stated goals of corrections.

Access to trades and vocational training has been significantly reduced nationally and is non-existent here at Kent Institution. Again, this does not meet the stated purpose of corrections. Prisoners are not better able to support themselves legally and productively than when they began their sentences. It is a widely shared desire among the population to participate in programs that would result in a successful trade or career, which would translate into their successful reintegration into the community. Why CSC removed training programs involving carpentry, electrician, auto body and plumbing mechanics when the infrastructure is already in place is inexplicable.

It is also important to mention the removal of what was called incentive pay, where prisoners could make extra money for working overtime more than eight hours a day. Some prisoners used to work over 50 hours Monday to Friday just to make \$150 with the hope of saving a small amount of money for their release. This was facilitated in penitentiaries that have a CORCAN factory where prisoners are the sole workers producing items that prisoners use such as blankets pillows, mattresses, winter spring jackets and nearly every prison issued clothing that prisoners wear, which the penitentiary makes mandatory to wear during work hours. It taught prisoners the value of hard work for the pay check and also helped them plan for their futures. CORCAN continues to sell various items to other facilities and programs across Canada for a ridiculous profit, yet very little is shared with the prisoners who labour in their factories.

Limits to the amount we can spend in our own money, be it the pen pack limit of \$1,500 with the extra allotment of \$300 for jewellery or the cap that is in place at \$750 regarding how much we may spend of our own money on personal property canteen and hygiene. These numbers were put in place in the 1980s, and along with the pay policy has likewise not received a raise to these limits since that time. With inflation, we are crippled by the fact that a t-shirt today may cost \$50 when in the 1980s it would have been \$5 to \$10 on average. We are given a list of items that we may have sent in during the initial 30-day window for our pen packs, but once the items get here, the staff in admissions and discharge routinely mark down the items for ludicrous amounts, stopping us from getting anywhere close to what they say we may have. It is an unfair practice. If you take into consideration it has been 31 years since our last update where monetary values are concerned, our limits should be almost 100% higher just to keep up with rising inflation.

In conclusion, we understand that we are not perfect people, we have made mistakes, but how can we change and each become a better person when we are not even given a chance?

RESPONSE

More Stormy Weather or Sunny Ways? A Forecast for Change by Prisoners of the Canadian Carceral State *Jarrod Shook and Bridget McInnis*

INTRODUCTION

Upon being elected, Prime Minister Justin Trudeau (2015) mandated the Minister of Justice and Attorney General of Canada Jody Wilson-Raybould to review criminal justice laws, policies, and practices enacted during the 2006-2015 period where successive Conservative federal governments were in power. With the change in government there has been some initial, albeit cautious, optimism that Prime Minister Trudeau will follow through on his professed commitment to “sunny ways” (e.g. O’Connor, 2015; Doob and Webster, 2016). This optimism is not unfounded. Anecdotally, editorial staff from the *Journal of Prisoners on Prisons* (JPP) are hearing that parole grant rates have improved. The newly appointed Correctional Investigator Ivan Zinger has also recently reported a “sharp decline” in the use of solitary confinement (Harris, 2017). Nevertheless, as this special issue of the *JPP* demonstrates, a storm rages on in Canadian federal penitentiaries and the prisoners who have been weathering it have a forecast for change.

As a prisoner-written, academically-oriented, and peer-reviewed non-profit journal based upon the tradition of the penal press, the *JPP* brings the knowledge produced by prison writers together with academic arguments to enlighten public discourse about the current state of carceral institutions. As such, the editors of this special issue are of the belief that part of the Government of Canada’s promised review of criminal justice laws, policies, and practices should involve direct input from prisoners who, having experienced recent penal reforms first-hand, are well-positioned to assess their impact upon their lives and what changes are needed moving forward.

To this end, the *JPP* undertook a Canada-wide consultation of its own to request that Canadian federal prisoners provide their observations regarding what has changed in the penitentiaries where they have served time during the last decade in relation to the Harper government’s punishment agenda. We asked them not just what they think about those changes and how they have impacted their lives, but also what prisoners would like to see moving forward in terms of their main priorities for change and the types of social

action those outside of prison walls could engage in to help address the challenges that presently characterize life in a federal penitentiary (see *Appendix*).

We mailed out sixty-nine letters to every federal penitentiary in Canada, accounting for the fact that many institutions confine prisoners at maximum-, medium-, and minimum-security levels all within the same compound. Moreover, we had to consider the fact that CSC now classifies prisoners into sub-groups and also incarcerates those deemed to be living with mental illness in their regional treatment centres. We also sent letters to ‘healing lodges’, which are classified as minimum-security penitentiaries.

The response to our callout was overwhelming. The breadth and depth of the response letters we received back from prisoners covering all of CSC’s five regions, spoke prominently and thoughtfully to the many challenges that currently characterize life inside a federal penitentiary. What these letters convey to us is that imprisonment, independent of the Harper-era punishment agenda, is damaging, yet the laws, policies and practices instituted under the last three Conservative federal governments have impacted prisoners in all the more cruel ways – ways that both undermine honest attempts by prisoners to better themselves and ultimately put at risk their chances for successful re-integration into the community if given the chance. If the current government is serious about “rehabilitation and public safety” they would be wise to heed prisoner’s reasonable calls for an opportunity to better themselves in spite of a system which, whether intended or not, works against their attempts to do so in many instances.

Taken on the whole, the letters we received from prisoners, which are included in the pages of this issue, comprise a comprehensive account of the impacts of the punishment agenda, along with pragmatic recommendations for change to immediately improve life inside federal penitentiaries. Despite a fairly wide range in the scope and interpretation of these impacts, along with the type of changes that prisoners would like to see moving forward, the ten most prevalent areas of concern and reform that emerged are as follows: sentencing, mental health, health care, food, prisoner pay, old age security, education and vocational training, case management and staff culture, parole and conditional release conditions, and pardons.

There were also several other issues identified by sub-groups of prisoners, which we address immediately following our overview of the Conservative punishment agenda that offers a snapshot of the context

where an intensification in the pains of imprisonment was endured by the contributors in this volume.

AN OVERVIEW OF THE CONSERVATIVE PUNISHMENT AGENDA

The scholarly literature and government reports engaged with below provide us with an overview of what has been said by experts about reforms to laws, policies, and practices related to the federal penitentiary system under the previous government. While the body of work tended towards organizing this information chronologically and in relationship to the distinct electoral cycles in, which former Prime Minister Stephen Harper and his Conservative government were in a position to roll out their ‘tough on crime’ agenda (minority: 2006-2008, 2008-2011 and majority: 2011-2015), we have chosen to organize this information thematically.

Laws

In the legislative realm, we found that the academic community was particularly concerned with changes to the Criminal Code (Cook and Roesch, 2012), including the introduction of mandatory minimum sentences (Fournier-Ruggles, 2011), alterations to the criteria for an accused to access bail (Doob and Webster, 2015), a widening in the scope for ‘dangerous offender’ designations (Cook and Roesch, 2012), the creation of new offences for driving while impaired (Doob and Webster, 2016), and restrictions on the court’s discretion to utilize alternatives to incarceration (Zinger, 2016). We also found concern on the part of the academic community regarding the elimination of additional credit that remanded prisoners received for time spent in pretrial custody (Doob and Webster, 2016), restrictions that were introduced on access to parole and statutory release such as the elimination of accelerated parole reviews (APR) (Parkes, 2014; Zinger, 2016), legislation that brings victims closer to the judicial and correctional decision making process (Cook and Roesch, 2012), and sweeping changes to the pardon system in Canada, now known as “record suspensions” (Doob and Webster, 2016). We further found that even though Canadian sentencing policy has historically been interpreted as one which valued “restraint”, this fundamental principle went to the wayside under the Conservatives as evidence-based penal policy-making was dismissed and harsher punitive

responses became the norm when new legislation was introduced (Doob and Webster, 2016).

On the whole, there seemed to be a consensus amongst those in the academic community that the legislative direction of the three Harper governments was one that would lead to a long-term overall increase in the penitentiary population who would now serve more time under harsher conditions, thus putting additional pressure on a system already strained to deliver on its mandate for public safety and rehabilitation. The pessimism expressed by academics regarding the Conservative legislative agenda concerning punishment was further enflamed by the fact that there was little by way of empirical support for their measures (Webster and Doob, 2015), as it was predicted that prisoners entering the system would ultimately come out the other side even less prepared for life in the community.

Policies

On the policy side, we found that one of the best sources regarding changes introduced as part of the previous government's punishment agenda were CSC's own departmental performance reports, which are a rich source of information regarding the implementation of laws, policies, and practices in the context of federal corrections. CSC highlights these as "achievements" and reports them as performance indicators. Significant policy changes related to this *Dialogue* can be organized according to three distinct themes: institutional security, cost-saving measures and accountability.

Institutional Security

During the Harper-era, CSC attempted to ramp-up its efforts to strengthen institutional security in a number of ways with new policies dedicated towards drug interdiction (Zinger, 2016), along with the alleged threat of "radicalized" prisoners (Monaghan, 2014) and other "security threat groups" (CSC, 2012, 2013, 2014, 2015, 2016). These included an expansion of the drug detector dog program (CSC, 2012), new search technologies (CSC, 2013), an increase in the frequency of searches (ibid), restrictions on access to "authorized items" (CSC, 2012; also see Parkes, 2014), increases in random urinalysis testing of prisoners (CSC, 2013), as well as the dedication of new resources towards securing perimeters, ION scan technology, and X-ray technology (CSC, 2015). Moreover, CSC developed new strategies in a stated effort to enhance the management of

gangs, drugs and prisoners deemed to have been radicalized, including a National Radicalized Offender Threat Assessment in partnership with the Canadian Security Intelligence Services (CSIS), the Federal Bureau of Investigations (FBI), and the Federal Bureau of Prisons (FBOP) (CSC, 2012; also see Monaghan, 2014). As part of its focus on drug interdiction measures, along with alleged security threat groups and radicalized prisoners, CSC also made extensive revisions to its Commissioner's Directives to bolster the organization's power and authority to search prisoners, visitors, cells and vehicles, as well as intercept materials coming into institutions (CSC, 2013; also see Parkes, 2014).

The academic community anticipated that the increase in penitentiary population and length of time prisoners served before being released would necessarily bring about a strain on institutional resources, yet as Zinger (2016, p. 621) notes, "there always seems to be resources for more security measures and technologies" even in so-called times of fiscal austerity. This was a sentiment expressed frequently by scholars who seemed concerned that these additional security expenditures would take much needed resources away from rehabilitative programs and supports for prisoners (Cook and Roesch, 2012; Ricciardelli *et al.*, 2014).

Accountability

As part of a wider agenda which emanated out of the Conservative government's partisan *Roadmap to Strengthening Public Safety* (Sampson *et al.*, 2007; also see Jackson and Stewart, 2009), CSC also began placing a particular emphasis upon the subjective notion of "accountability" (CSC, 2012; also see Zinger, 2016). This entailed, as a matter of policy, bringing victims closer to the correctional decision-making process (CSC, 2012; Cook and Roesch, 2012), providing them with notifications, sending them information about prisoners and taking into consideration their concerns when making important decisions (CSC, 2015). CSC also began assessing accountability in the context of the 'correctional plan' (CSC, 2012), adding new procedures and methods touted as helping prisoners accept responsibility for their current behaviour and rehabilitation (CSC, 2013). This necessitated wide-reaching revisions to the case management policy framework that tied these factors to important decision-making processes like transfers to lower security institutions and access to parole (CSC, 2013).

Interestingly, even front-line workers have problematized the accountability measures and have questioned not just the logic of this approach to case management, but also the degree to which it has strained relations with prisoners (Comack *et al.*, 2015). Moreover, it was not lost on the academic community that measures of accountability, which “became a signature piece of the governments tough on crime message”, were really just semantic justifications for austerity measures (Zinger, 2016, p. 216), many of which will be discussed below, and political maneuvering tactics and stratagems that the government relied upon to appeal to its base of support (Doob and Webster, 2015; Piché, 2015).

Deficit-Reduction Measures

CSC also introduced a number of cost-saving measures that resulted in drastic changes to a number of institutional policies related to services and programs designed to meet the needs of prisoners (CSC, 2012). These can be traced back to a \$295 million reduction in CSC’s operating budget as part of the previous government’s Deficit Reduction Action Plan (DRAP) (CSC, 2012). These policy-related changes included a significant modification to the policies and procedures in the management of food and “accommodation services” (CSC, 2014, 2015) and a substantial revision to its Commissioner’s Directive on prisoner accommodations. As will be discussed below, for a time, this had resulted in an increase of the practice of double-bunking and what CSC termed “modernizing” of its food services department by introducing regional meal production centres that utilize “cook chill” technology (CSC, 2015). Moreover, CSC made significant changes to the way that spiritual services are delivered in institutions, including cut-backs and the enhanced privatization of chaplaincy services (CSC, 2013). Significantly, on the case management side, they also streamlined services that modified the way that parole officers conduct casework, thus reducing the number of face-to-face contacts they have with prisoners, which lengthened the wait times for correctional plan reviews (CSC, 2014).

These measures came to be among the “perverse effects of a tough on crime agenda on the lives of prisoners” (Zinger, 2016, p. 621; also see McElligott, 2009). The Office of the Correctional Investigator (OCI), in fact, has made these issues a centrepiece of its reporting annually and problematized them as conditions of confinement issues in serious need of redress (OCI, 2012; OCI, 2013; OCI, 2014; OCI, 2015).

Practices

The above-mentioned changes to both legislation and CSC policies have had an impact on the everyday practices and culture within federal penitentiaries across Canada. Among these practices were a heightened use of segregation, double-bunking and the use of force. There were also practical changes more clearly associated with the pursuit of deficit-reduction.

Segregation

Though the length of time spent in segregation has been decreasing in recent years, the number of admissions per year had, up until recently, been increasing (OCI, 2015). This increasing number of admissions affects various sub-groups (i.e. Indigenous and Black prisoners), but not white prisoners (ibid). In the 2014-2015 fiscal year, there were 8,300 admissions to segregation (ibid). This practice continues to be used to handle what CSC would describe as ‘difficult-to-manage’ populations, including those who are deemed to be mentally ill, suicidal or engaging in self-injurious behaviours (ibid). Segregation has many consequences on prisoners. Prisoners with a history of segregation are more likely to be labeled as high-risk and high-needs, and are more likely to be identified as having low-motivation, low reintegration potential, and low accountability (ibid). Finally, administrative segregation has been and continues to be used to circumvent the limits of disciplinary segregation where prisoners can only be held for up to thirty days (ibid).

While it is recognized that there is a current trend towards reduced use of segregation (Harris, 2016), the academic community has long been concerned about this aspect of the “human cost” of the Conservative punishment agenda (Parkes, 2015; Piché and Major, 2015; Jackson, 2015; Kerr, 2015; Arbel, 2015). With an increased reliance upon punitive approaches, it was anticipated that the ‘tough on crime’ approach would result in an upsurge in such practices as segregation (Cook and Roesch, 2012). These concerns around segregation were tied in with legitimate fears about how this practice would affect the most vulnerable prisoners, those with “mental and physical health concerns”, concerns which have become the impetus for the recent trend of a degree of restraint in the use of segregation as an administrative tool at the disposal of institutional authorities and now the subject of a class action lawsuit on the part of federal prisoners (Fine, 2016).

Crowding and Double-Bunking

Canada's rate of imprisonment, in contrast with trends seen in many other jurisdictions (for example the United States) had remained relatively stable from about 1960 until 2006 where it sat at approximately 103 people per 100,000 (Doob and Webster, 2006, p. 331; Piché, 2015). Under successive Harper governments, however, imprisonment trended upwards and the Canadian prison population steadily increased at both the provincial and federal level, rising by 20 percent and 14 percent respectively (Comack et al., 2015, p. 3). This significant increase in prisoners was particularly borne by certain segments of the population, with a 77 percent increase in incarcerated women, 52 percent increase in the Indigenous prison population, and a 78 percent upsurge in the Black prison population (ibid).

While there was an uptick over the course of the decade, more recently the Canadian penitentiary population has been showing some signs of decreasing in recent years as the federal incarceration rates decreased by four percent between 2014-2015 and 2015-2016 (Reitano, 2016). In fact, the overall prison population decreased from 14,983 in 2011-2012 to 14,742 in 2015-2016 (OCI, 2012; Reitano, 2016). Despite this recent slight decrease in the prison population, however, problems with crowding remain. One example of the problematic effects of crowding in penitentiary, both past and present is the practice of double-bunking, which continues to be used as a population management strategy.

As of 2014, the national double-bunking rate stood at 20 percent, with the highest rates in the Prairies (OCI, 2014). While some observed tensions arising between double-bunked prisoners (see Shook, 2013), there has been increase in the number of assaults, lockdowns, searches, and use of force incidents (OCI, 2012, 2013). It should be noted, however, that as of 2016 the national double-bunking rate had been cut in half (CSC, 2016). Nevertheless, during the period of penal intensification under discussion here, substantial amendments were made to CSC's policy on double bunking. Formerly, CSC had endorsed the principle that "single occupancy accommodation is the most desirable and correctionally appropriate method of housing offenders" (as cited by Shook, 2013, p. 44). This principle belief, however, was struck from Commissioners Directive 550 *Inmate Accommodation* as the federal penitentiary population grew (CSC, 2013b).

Research produced by CSC looking at the literature on crowding and double-bunking has suggested that the overall negative effect on prisoners and the institutional climate is negligible (Paquin-Marseille *et al.*, 2012). Despite these state-produced findings, qualitative research with prisoners (Shook, 2013) and front-line workers (UCCO, 2011; Comack *et al.*, 2015) suggests otherwise. Others have problematized this practice by drawing attention to the negative effects that it has upon an individual's "human spirit and human dignity" (Jackson and Stewart, 2009, p. 65). One need only look as far as any one of the annual reports of the OCI produced between 2006 to 2015 to find that the practice of double-bunking has been identified as a persistent problematic practice engaged in by CSC during the Harper-era.

Use of Force

In 2013-2014, the OCI investigated the largest number of use of force incidents in their history with the completion of 1,740 reviews (OCI, 2014). The evidence would suggest that there has been a heightened reliance on force to handle incidents, including those involving self-harm and suicidal behaviour (OCI, 2013, 2014). There has also been an increase in the use of inflammatory agents during these use of force incidents (OCI, 2014). Since 2010, correctional officers have been able to wear pepper spray around their belts, making it readily accessible during these use of force incidents (OCI, 2014). In 2013-2014, pepper spray was used in 60% of these cases (OCI, 2014). Research conducted by Chricton and Ricciardelli (2016, p. 428) suggests that corrections under Harper has reshaped "the obligations of prison managers and in response the occupational role of CO's". The prison officers they interviewed acknowledged the fact that "punitive disciplinary methods" are "increasingly used in non-violent situations" even though they apparently "felt less harsh measures, such as verbal techniques of de-escalation, would suffice" (*ibid*, p. 435). This qualitative research runs parallel with the quantitative findings noted above as there has been an increased reliance upon security measures.

Deficit-Reduction Measures Revisited

As indicated above, in an effort to reduce spending, there have been budget cuts throughout federal penitentiaries that have impacted the day-to-day lives of prisoners. Prisoners are being charged more for phone calls and more deductions are being taken from their pay to finance their "food and

accommodations” (OCI, 2013; also see Shook, 2015). Despite these new deductions, there has not been an increase in prisoner pay since the 1980s (OCI, 2015). There have been cuts to social events and to library services, and prison farms were also being eliminated (OCI, 2013). Non-essential dental care was also removed, meaning that prisoners are only able to see a dentist in the case of an emergency (OCI, 2013). Finally, a new industrial food system has been introduced (the ‘cook-chill system’), which has significantly impacted the diet and nutrition of prisoners (OCI, 2015).

McElligott (2009) and others predicted that such “no frills” measures would come to light as part of the implementation of the *Roadmap to Strengthening Public Safety*. Some questioned the fact that these cuts to programs, resources, and supports for prisoners ran parallel with an “overall increase in the Correctional Service of Canada’s staff complement”, which rose from 16,000 in 2006-2007 to 18,721 in 2014-2015 (Zinger, 2016). Also problematized was the fact that these changes coincided with heavy investments in both static and dynamic security measures, which the evidence has suggested do not yield commensurable additional public safety benefits, but may in fact serve to undermine them (ibid).

AN OVERVIEW OF DAMAGING PENAL POLICIES AND PRACTICES UNDER THE HARPER GOVERNMENT FROM THE PERSPECTIVES OF PRISONERS

Issues for Prisoners Pushed to the Margins

In his classic sociological study of a New Jersey state prison, Sykes (2007, p. 110) noted that “it might be argued that in reality there are as many prisons as there are prisoners—that each [prisoner] brings to the custodial institution [their] own needs and [their] own background and each [prisoner] takes away from the prison [their] own interpretation of life within the walls”. Accepting Sykes claim that not all aspects of the experience of incarceration are universal, we recognized the importance of moving beyond issues that were widely cited by Canadian federal prisoners to also consider problems that appeared to disproportionately impact minorities incarcerated by CSC. Not wanting to overlook the latter, below we account for some of these concerns as issues of those pushed to the margins before addressing the most frequently cited themes.

Indigenous Peoples

Over the ten-year period under review here there was a dramatic increase in both the Black and Indigenous federal penitentiary population (Zinger, 2016). The Black penitentiary population has increased by 78 percent and the Aboriginal prison population has seen an increase of 52 percent (Comack et al., 2015 p.3). This increase for both groups occurred in spite of longstanding criticisms regarding their mass incarceration as compared to the population of white federal prisoners, whose incarceration rates have been on the decline (OCI, 2013).

Prisoners themselves problematized these trends. For instance, a group of Anonymous Prisoners held in Fraser Valley Institution indicated to us that in addition to the population “fast becoming increasingly Indigenous” that “The ladies that remain in max now feel they are not having their spiritual needs met by the Elder that is in the position to assist them”. They further described a process that seems to be related to a high turnover rate for Elders in the system. While not identifying themselves as Indigenous in their paper, Rachel Fayter and Sherry Payne of Grand Valley Institution also brought to our attention the fact cultural events, like the Annual Pow Wow, that are prescribed for Indigenous peoples to maintain linkages with their cultures have been “cancelled without reason and without any communication to prisoners”. Anonymous Prisoner 15, who is Indigenous and held at Saskatchewan Penitentiary, has spent two decades in the penitentiary system and recently underwent major surgery to remove a tumour after being diagnosed with cancer described to us a similar difficulty in staying connected to his culture. After being approved for “cultural escorted passes” and completing several successful ETAs, he indicated how the Harper government brought about policy changes requiring prisoners serving a life sentence to appear before the PBC to apply for and obtain passes. He described having “dealt with my childhood trauma, my residential school abuse issues”, while “waiting for almost two years for approval to go on passes” to continue his cultural ETAs.

Another prisoner held in Bath Institution indicated to us that *Gladue* sentencing principles, which are legally required to be considered in correctional decision-making processes that have a bearing on an individual’s liberty are not being followed. This prisoner asks that the current government “review all policies that the previous government installed that had an effect on and consequently engulfed First Nations people”.

We received only a single response from an Inuit prisoner who described to us feelings of dislocation and the difficulty of maintaining family ties while incarcerated and the undue hardship brought upon family members who wish to maintain contact with their loved ones while incarcerated so far away from home. While we problematize his recommendation that “the federal government start considering to build a federal penitentiary” in Nunavut as its implementation would perpetuate the mass incarceration of Indigenous peoples, we appreciate why this prisoner would see this as a solution at a moment when the federal government has failed to deal with past and on-going destructive colonial relations (Monchalin, 2016; also see Martel *et al.*, 2011).

Black Prisoners

We received one piece from a prisoner who identified themselves as being Black. Michael Leblanc at Dorchester Penitentiary provided a lengthy and thoughtful submission which spoke with a great deal of clarity to the problem of systemic racism. His analysis suggested that “Many minority prisoners are warehoused in our Canadian penitentiaries” receiving “harsher sentences” due to discrimination experienced when trying to obtain and maintain parole. He further described to us, as did others who touched upon issues related to Indigenous prisoners, “the importance for a minority to stay connected to one’s culture and customs”. As “there are cultural needs and traditions that are not being observed” he calls for a “cultural liaison to represent these ongoing human rights abuses”, while also recommending that an ethno-cultural advisory representative be the liaison between racialized prisoners and government.

Criminalized and Incarcerated Women

We were grateful to be in receipt of several responses from women across the country who spoke eloquently and passionately to issues that are unique to them. The content of their contributions reveals shocking and appalling conditions of confinement for federally sentenced women. For instance, Rachel Fayter and Sherry Payne of Grand Valley Institution describe a culture of debasement towards women on the part of the guards where:

It is rare that a guard treats us with respect or dignity. They demean us, lie, make accusations and assumptions, tease us, restrict our choices, belittle

us, swear and call us names. For example, guards have made fun of what clothing women wear, our make-up, our weight and how much junk food we purchase at canteen.

Another criminalized woman, Stephanie Deschene, held in Fraser Valley Institution described to us an experience of similarly poor treatment in the hands of the state. She arrived at the facility in maximum-security thirty-four weeks pregnant, describing that the decision making regarding her institutional placement was, in part, paternalistic as she was accused of continuing to remain “in an abusive relationship, of which my baby’s father was the aggressor” . She further described the insensitivity shown to her on the part of the state following her giving birth to her son, when the very next day she was “shackled and cuffed” and not allowed to “breastfeed, hold and cuddle” her newborn son safely. This uncompassionate treatment continued upon her return from the hospital where the institutional security climate dictated that she would not be permitted to provide breast milk for her son due to the potential for “contamination”.

Given the unique circumstances of female prisoners who have become pregnant before or during their incarceration, as well as those who have very young children, CSC had set up a “Mother-Child Program”. Rachel Fayter and Sherry Payne described this as an initiative that “enabled women to live with their young children, ages five and under in a cottage designated as the mother-child unit located on the general compound”. This program, which served, in large to maintain the bond between mother and child was scaled-back under the Conservative government. Thus, the visiting room became the only place where some mothers could see their child. Rachel Fayter and Sherry Payne argue “is not a conducive location for a mother to bond with her child”. Moreover, they note that in addition to the overarching security atmosphere imposed upon prisoners and their loved ones, “women have been denied the opportunity to hold their baby, breast feed and change diapers”.

Another problem cited by the women who contributed to this project is the lack of halfway houses for women. For instance, those incarcerated in Ontario described women waiting months for a bed and being forced to live “hours from their community when released on day-parole”. Such neglectful treatment shown towards women is an inequity that must be addressed. Incarcerated women are entitled to an equal benefit of accessing conditional release into a community of their choosing where they can remain close to

their family and support systems. To do otherwise is discriminatory and sets them up for failure.

LGBTQ Prisoners

We received one submission that spoke to issues that LGBTQ prisoners face while incarcerated and the impact that recent penal intensification has had upon their lives. Rachel Fayter and Sherry Payne observe that the “LGBTQ community at GVI feel they are not accepted as individuals and especially not as a community”. They describe an atmosphere where there is a prohibition on same-sex relationships that are deemed unacceptable by the guards. Moreover, it was noted that “An individual’s partner is often mentioned in paperwork” and “Women in relationships have not been supported for parole due to their relationship and their partner of choice. Same-sex couples are also not permitted to have Private Family Visits together”. What is being described above are human rights violation in need of serious redress. Prisoners do not forfeit their human rights at the gate of the penitentiary and are entitled to being protected from discrimination on the grounds of their sexual orientation.

Elderly Prisoners

While there is not a standard definition of what it means to be “elderly”, for the purposes of our analysis we have chosen to follow the guidance of the Office of the Correctional Investigator, which identifies those aged 50 and older as being elderly (OCI, 2015). This is to recognize also that men and women behind the walls may age physically faster than their chronological age due to a variety of factors up to, and including, substandard health care and poor diets in addition to the stress and the punishment of body and mind that comes with serving a prison sentence (OCI, 2015).

We received several responses from elderly prisoners who shared experiences of incarceration that highlight how penitentiaries are particularly punishing for the elderly. For instance, a groups of Anonymous Prisoners held in Fraser Valley Institution describe a “lack of approach towards dementia and elderly care”, adding that “We have a number of older ladies and they are not respected in that manner”. Moreover, Anonymous Prisoner 8 of Beaver Creek Institution discusses the circumstances of elderly prisoners who are unable to work for health reasons, infirmities, and the like. Thus, they find it difficult to meet financial demands and purchase

“non-essential health care items”. A number of prisoners who wrote to us expressed their frustration with the government’s decision to remove access to old age pensions for prisoners aged sixty-five and over. In fact, this was a frequently cited theme, which will be discussed in greater detail below.

Despite the pessimism expressed on behalf of elderly prisoners, we recognize a certain resilience and courage on their part. For instance, one elderly prisoner who chose to remain anonymous stated in a letter to us: “I am writing this document knowing that I have a parole hearing coming soon. I have been advised my freedom could be jeopardized by my writing this document to you. I am an elderly man and will not be victimized by fear and intimidation, and bullying that is commonly used by CSC personnel”.

Most Commonly Cited Issues

As we undertook an analysis of letters that we received from prisoners across the country describing the impact upon their lives of the Harper-era ‘tough on crime’ agenda, several recurring themes emerged from their responses. Below, is a summary of the most commonly cited issues that prisoners described to us and their reasonable forecast for change moving forward.

Sentencing

Under the Harper government, new mandatory minimum penalties (MMPs) were added to the Criminal Code. There are now over one hundred offences in the Criminal Code and the Controlled Drugs and Substances Act that carry MMPs (Eliot and Glynes, 2016). These MMPs can be applied in a variety of situations, including with drug offences and those who have been previously convicted (ibid). The use of MMPs, or sentencing in general, was mentioned throughout several letters from prisoners as an area requiring change.

According to Hyper A’Hern, MMPs take away judicial discretion by removing the judge’s ability to choose a sentence that he or she deems fair and proportionate. This prisoner believes that this type of sentencing leaves judges with no other option but to impose a harsh sentence:

We are sending a mixed message to the public by binding judges to these minimums. We are saying to trust the courts with applying the law, while at the same time undermining the judicial system by not allowing a judge to impose the sentence they deem adequate.

Many prisoners also mentioned that MMPs do not have a deterrent effect and that imposing harsher punishments does not reduce crime: “Empirical data shows that longer sentences do not make the public safer and only serve to make harder criminals who will eventually be released into society” (Trevor Bell held in Mission Institution). It was also noted by prisoners that there are many people in penitentiaries who do not need to be there and that serving time will likely make them more prone to commit new offences upon release. It was suggested that a review of current MMPs is needed and that alternatives, including restorative justice, should be more widely available to better promote rehabilitation and the repair of harm. Anonymous of Grand Valley Institution for Women concludes that a more compassionate approach is in order, one that includes “a close examination of the conditions that contributed their acts where relevant, including childhood abuse and suffering. These individuals need love, self-care and inner healing”.

Another suggestion for change was to divert some people from the federal penitentiary system altogether: “Rather than mandatory minimum sentences, our justice system needs to consider alternative options. Persons who have not committed violent crime would be better off being referred to mental health, addiction or similar services as required” (1417 held in Riverbend Institution). It is evident when reading through prisoners’ responses that they believe that the current sentencing system is broken and ineffective, and that far-reaching changes must be implemented.

Mental Health

Mental health care was identified as a central priority for federal prisoners. Stephanie Deschene held in Fraser Valley Institution noted that mental health personnel are understaffed, leading to long wait lists and a lack of timely access to necessary services: “Women who are trying to work past trauma and create healthy outlets are told they will be put on a waitlist. Should we not be *preventing* suicidal thoughts and actions not *treating* them once they happen?” Due to a lack of available staff, Trevor Bell held in Mission Institution argues that prisoners’ mental health needs are only addressed in emergency situations:

Unless an individual is suicidal or engaging in acts of self-harm, they are likely to receive absolutely no treatment whatsoever. The Harper

government repeatedly cut funding to the correctional system, allocating little to mental health in general, yet the presence of those living with mental health issues within penitentiaries is a pressing issue.

When individuals who are living with mental health issues while incarcerated are able to access psychological services, many prisoners who wrote to us described a scenario where rather than receiving therapeutic treatment they are simply medicated. This was described to us by both men and women. Michael Leblanc held in Dorchester Institution, referencing a study on the prevalence of psychotropic medications being offered to prisoners, states that “These medications are being prescribed to candy-coat the real issues of a prisoner’s state of mind, rather than providing access to counselling and treatment”. His position is that the “overmedication of federal prisoners must change, so that more resources can be dedicated to counselling”. Yet even when prisoners are able to access such services, Rachel Fayter and Sherry Payne remind us that “since psychologists are employed CSC staff, women do not feel comfortable sharing their feelings and struggles based on the fear that what they say will end up in their paperwork”, thus affecting “security ratings, temporary absences and parole”. They recommend that “CSC return to hiring external social workers on contract to work with women in distress and those living with mental health issues, rather than CSC-employed psychologists”.

Several prisoners also noted that prisons are not ideal environments for those suffering from mental illness and that being in prison can exacerbate their symptoms: “As a person suffering from PTSD, I am forced to engage in an environment that is significantly more prone to aggression and violence to the detriment of my emotional well-being, with the potential of undermining the efforts made in this area” (Anonymous Prisoner 20 held in Mission Institution).

It was also noted that prisoners may be required to participate in counselling sessions as part of their correctional plan, but they are unable to meet this requirement due to long wait periods and understaffing. For this reason, it was also suggested that more psychologists need to be hired to improve access to mental health services and to allow for more preventative and proactive care.

A final suggestion that was given related to mental health was to allow prisoners to have more contact with the outside world through volunteer

programs. Such contact would be a way to improve mental health by decreasing feelings of isolation and solitude: “We can address this area [mental health] not by necessarily throwing more money at it, but by including our stakeholders – the community – through the promotion of outside volunteer participation, making our penitentiary walls more permeable” (Anonymous Prisoner 12 held in Beaver Creek Institution).

Health Care

The health of prisoners is not often considered a priority for the federal government despite high levels of chronic illnesses and infectious diseases amongst prisoners (OCI, 2016). For the prisoners who wrote to us, however, health care issues were a priority. Joe Convict held in Mission Institution draws our attention to the fact that the principle of equivalence is not being followed. He notes, “We are supposed to be receiving health care on par with citizens out in the community, but this is a fallacy”. He further describes a situation where “there is an issue with the privatization of health care in that prisoners are getting substandard treatment and care. Prisoners are left in pain and denied the necessary treatment such as surgery or pain management programs available to persons out in the community”. Other prisoners who wrote to us, including a group of Anonymous Prisoners at Kent Institution who drew a link between their physical health and the quality and portions of food that are provided to them, stating that “Approximately 20% of the penitentiary population here suffers severe digestive problems due to the food forced upon us, which has led to “bloody anal discharge, bloody stool, lower intestinal cramping and bloating, constipation and diarrhea, as well as stomach pains”. Alarming, they describe prisoners seeking “help from outside health care staff hoping to receive food that does not hurt us and instead they receive medication that, at best, reduces the problems minimally”.

Another issue described to us that has occurred with regards to health care is the removal of preventative dental treatment (ibid). Prisoners are only able to see a dentist in the case of an emergency. Preventative medical treatment in general is non-existent in penitentiaries, which, according to prisoners, is costing corrections more money in the long-run. Rachel Fayter and Sherry Payne of Grand Valley Institution state that “It can take weeks or months to see a doctor or dentist, even for antibiotics or a common cold or flu. The dentist at GVI specializes in extracting teeth and prefers pulling a

tooth to providing a filling. There are no teeth cleaning or preventative care appointments available”.

Prisoners are frustrated that they are not given the tools or opportunities to take their health into their own hands:

Before prison, I was in great health and took care of myself, but how are we to take care of ourselves when we are not given the opportunities or resources? I have had a tooth ache for the last three months and I am told, once again, that I will have to wait due to the lack of funding. I have become a burden on society with my many ailments that continue to grow and get worse over time.

– Anonymous Prisoner 3 held in Fraser Valley Institution.

Similar to the problems prisoners noted with respect to mental health care in penitentiaries, health care professionals are understaffed, leading to long wait-times and service provision largely limited to emergency situations. When treatment is given, in the domain of mental health, as is indicated above it is often limited to the prescription of medications as opposed to addressing the underlying causes of the illness: “and all the doctors seem willing to commit to in terms of care is prescribing an assortment of pills, including for mental health issues – simple zombification” (Anonymous Prisoner 19 held in Drumheller Institution). Exacerbating the situation is the fact that prisoners who speak out about their health concerns are treated with suspicion by healthcare staff, instead of compassion.

When discussing health care, most prisoners stated that better access to doctors is required, along with the hiring of more health professionals and enhanced provision of preventative services. It was also noted that prisoners often do not have a choice in their treatment plan (i.e. are simply prescribed a certain medication, which they are told to take regularly). Prisoners mentioned that it would be beneficial for them to be included in decisions about their health.

Food

As indicated in a previous section, one of the most common issues raised by prisoners was the poor quality of food. Anonymous Prisoner 12 held in Beaver Creek Institution described to us the new centralized food services model and “cook chill” technology: “The meal is prepared at a central site,

packaged, frozen and shipped to the receiving institution. The institution then reheats the meal which is served to the prisoners". He goes on to state that under the old policy, "each institution had its own kitchen where staff and prisoners worked together" and "prisoners learned valuable skills that could easily be transferred to the community through the example set out by staff. They learned alternative ways of proper comportment".

This new policy, however, which was introduced as part of the previous government's cost-saving initiative, has been described as one where the quality and portions of food provided to prisoners has declined to such a degree that some prisoners have begun refusing to eat at all (CSC, 2015). Ronald Small held in Mission Institution describes having "witnessed the kitchen staff hanging their heads in shame because of what they are forced to serve us", he goes on to state that "you will find that the waste of food being thrown out is extremely high, which converts to wasted tax-payer's money". On a related note, Anonymous Prisoner 17 held in Drumheller Institution states the following:

I have heard many guys complaining about going to sleep hungry. Less money to spend in the canteen, along with the poor quality and quantity of food serviced in kitchen, has led to short tempers with violence erupting from individuals being hungry. This has increased the number of guys being muscled for their canteen or "taxed".

This analysis highlights the relationship between the quality and portions of food, and the institutional climate for violence and other incidents which rose sharply during the Harper-era (OCI, 2012, 2013). To Trevor Bell held in Mission Institution this is "It is truly unconscionable in this day and age that we have reverted back to a time where prisoners are provided with only enough food to barely keep them alive – not healthy, just alive". Hyper A'Hern described the current situation like this:

I have also thrown up immediately after eating and as of now I eat almost exclusively bread, which consists of approximately 40% to 50% of our daily calorie intake. I do not need to express what this kind of malnutrition practice can do to a human body. We get fatter, while at the same time being malnourished. There are other animals in the animal kingdom that we do this to as well and their back fat makes a great burger taste better.

Given what has been described above, it should come as no surprise that for many prisoners there was widespread agreement that food in prison was among the “highest priority” (Simon Chow held in Mission Institution). The proposals that we received from prisoners with respect to food services are simple: “The central feeding system must stop. Prisoners are human beings and should be treated as such” (T.B. held in Port-Cartier Institution). Trevor Bell, held in Mission Institution, echoed this sentiment with his proposal for “an immediate review of this entire program needs to be undertaken with a projected cancellation and reversion to the prior model of individual institutional food provision”.

Prisoner Pay and Purchasing

Another concern that was high on the list of priorities for prisoners was their pay for the work that they do in the institution that contributes to the operation and maintenance of the penitentiary. By charging prisoner’s additional room and board, along with the cost of administering the telephone system, when they already have to pay for the calls themselves, prisoners have seen their meagre pay reduced by 30% in recent years. It should be noted that the most a prisoner can make in a single day is \$6.90 and that the incentive payments that prisoners previously received for their productive labour at CORCAN have also been eliminated (Comack *et al.*, 2015; Shook, 2015).

It is important to consider the prisoner pay issue as it relates to their ability to maintain contact with their family members and also to take care of other basic needs that are not met by the institution, notwithstanding the supplementation of their diets due to the poor quality and quantity of food. Trevor Bell held in Mission Institution draws this connection by reminding readers of the following:

CSC’s mandate is to support our rehabilitation and reintegration into the community. That is simply not possible when an individual now has to choose between calling his community support network, buying deodorant, sending a card to his daughter or going hungry in the evening hours for two weeks.

Often times the public is misinformed of the degree to which prisoners are responsible for the costs of meeting their own needs in federal penitentiaries. In fact, their ability to make purchases for basic goods have been made all the more onerous with the introduction of a new purchasing

policy brought about as another cost-saving measure (Comack *et al.*, 2015; Shook, 2015). Prisoners like Joe Convict held in Mountain Institution interpret the installation of a one company monopoly as an act of bad-faith on the part of the government, noting “This new privatized purchasing system is based on sheer greed and price gouging of one of the poorest demographic in Canadian society”.

As can be seen from the above, the pay issue cannot be interpreted as being independent from other issues that prisoners face while incarcerated such as interpersonal violence, thwarted reintegration efforts and barriers to family contact. It is for this reason, perhaps, that almost every response that we received from prisoners made reference to the pay issue either directly or indirectly by mentioning its impact on their lives. One prisoner who responded to our callout reminded us that “It will cost me five cents a page to print this letter and a dollar for the stamp” (Anonymous Prisoner 8 held in Beaver Creek Institution). With the new policy of charging prisoners additional room and board, even at the highest rate of pay available, after deductions, his ten page submission to us actually cost him two days pay for institutional work.

Once again prisoner’s calls for change are reasonable: “restore prisoner work pay to where it was before” (Salomonie Jaw held in Beaver Creek Institution). Given that prisoners have not received an increase in wages since the 1980s and the cost of meeting their most basic needs have only ballooned, it would not be unfair for them to also ask for a wage increase (OCI, 2015). Yet the majority of prisoners who wrote to us were simply asking for enough to afford their necessities and maintain contact with their loved ones. The following proposal from Anonymous Prisoner 19 at Drumheller Institution is instructive: “We need better support for our loved ones while we are incarcerated, such as family programs. We need better support for mothers and family that find themselves suddenly alone when we are incarcerated so that they do not have only welfare to get by”. Salomonie Jaw held in Beaver Creek Institution echoes this request by simply asking that CSC: “Assist our families and loved ones to visit us, providing an escort so that they will be safe and not get lost during travels”.

Old Age Security

The federal penitentiary population is aging, with approximately one in four prisoners considered to be “seniors” aged 50 and older (OCI, 2015). This is in part due to the large number of prisoners – again, one in four – serving

indeterminate or life sentences, as well as the increasing number of prisoners sentenced to MMPs that impact those entering the penal system later in life (OCI, 2015; Eliot and Glynes, 2016). This means that the removal of Old Age Security for prisoners by the Harper government has impacted a large proportion of the federal penitentiary population in a negative way:

Even though a person may have been a Canadian born citizen who worked their entire life and paid their taxes, they are now denied the pension funds. I have seen many fellows, whose wives were dependent upon the income to maintain a roof over their head and food on their table, no longer being able to contribute to their family's well-being. They are also no longer able to afford their prescription drugs due to the high cost of same. They have, in some cases, lost their homes and ended-up either on welfare or eating at a soup kitchen post-release. With no funds to establish themselves properly into society, what are their prospects of success and what will be the impact upon their communities?

– Anonymous Prisoner 9 held in Beaver Creek Institution.

There is a strong sense of injustice amongst prisoners who have been dependent upon the funds from Old Age Security to survive on the inside and to support loved ones on the outside. Without this source of income, it is difficult for prisoners to purchase necessities while imprisoned, particularly when they are unable to work institutional jobs. An example of a necessity, for some, would be adult diapers which are no longer provided free of cost, but are instead available for purchase in the catalogue (OCI, 2016). Responses from prisoners also mentioned that the idea of release back to the community scared them, as they no longer had access to funds from OAS to help with their reintegration: “They tell us that we can get our pension back when we get released, but that means those lucky enough to get released, get released with nothing. We have absolutely no way to save anything for anything, let alone release.” (David Threinen held in Dorchester Institution). According to their responses, the solution to this problem is evident – reinstate OAS for prisoners.

Education and Vocational Training

The fact that education and vocational training can have a dramatic impact upon the lives of those who have been criminalized and now find

themselves within the confines of a penitentiary was also not lost on the prisoners who contacted us. As Anonymous Prisoner 12 held in Beaver Creek Institution notes, “Education and gaining marketable skills are the hallmarks of reduced recidivism”. However, as his experience showed, “federal prisoners have little to no access to the Internet and as a result cannot access online post-secondary education programs”. While CSC promotes its delivery of interventions that target dynamic risk factors in its stated pursuit of rehabilitation, prisoners themselves recognize this as being only half the battle. Anonymous Prisoner 17 held in Drumheller Institution described this imbalance, echoed by other prisoners who wrote to us, with the following:

I believe that there needs to be a balance between programs to help one become an emotionally balanced person and educational opportunities to become employable. Over the years, CSC’s focus seems to be to fix the individual (i.e. their emotional or addictions issues) to the detriment of training for work that will allow them to survive upon release.

To him and other prisoners “this makes no sense” because, in his words, “I can control my emotions, but if I cannot put food on the table, I am put in a position where I may need to turn back to crime to put food on the table, but I will be polite about it!” There seemed to be a particular emphasis placed upon the fact that there is a “*lack of educational upgrade opportunities beyond high school equivalence*” and prisoners were looking for more meaningful engagement (Anonymous Prisoner 20 held in Mission Institution). While prisoners who wrote to us were aware of the financial pressures and fears of public perception which led to the elimination of the post-secondary education program in 1993, some described even their “attempts at self-education through prisoner paid for correspondence courses are met with extreme administrative red tape and an all-around lack of support” (P.R. held in Mission Institution).

Very much related to prisoner’s access to education and vocational training is their access to technology, and in particular computers. Prisoners frequently described the limited avenues available to them to better themselves in this domain. A.C.C.L. held in Beaver Creek Institution who is serving a life sentence reminds us that “Computers are a big part of the outside world and people like myself who have been in since the 1990s do

not have the experience with email, texts and so on. Computers are used in all places for everything and not knowing anything about them puts us Lifers at a great disadvantage”. He, along with several other prisoners, recommend that CSC revisit their policies around access to technology so that they might better prepare themselves for life in the community.

Given the current state of affairs, many prisoners liken their time in the penitentiary to being warehoused. Without opportunities to better themselves, many prisoners feel as though their being incarcerated is an expensive waste of time. Anonymous at Beaver Creek Institution makes this point noting, “there is such a wasted opportunity for educational training, including post-secondary trades. If offered in a more expansive way, it would make all the difference in the world”. To make this difference, some prisoners suggested that penitentiaries be supplanted with “holistic rehabilitation centres, rather than penitentiaries. These centres would revolve around addiction (i.e., alcohol, drugs, psychological, etc.) and preparing prisoners through education and vocational training to reintegrate into society” (1417 held in Riverbend Institution).

Case Management / CSC Staff Culture

As noted earlier in this paper, CSC made sweeping changes to its case management policy framework (CSC, 2014). These changes, along with a general trend towards a culture of harsh punitiveness found throughout the entire system, have necessarily resulted in a climate where the authority granted to parole officers and other decision-makers in the system has effectively become a form of extra-judicial punishment. One prisoner described his experience with case management as one where they “outright lie, exaggerate, and tailor documents to reflect the narrowest scope and most damning impressions of the prisoner. They have become very skilled in creative writing and delaying tactics – ‘sluffing us off’” (Mark Simpson held in Kent Institution). Many authors, in fact, described a poor relationship with their case management team which is not surprising when, as Trevor Bell held in Mission Institution observes:

I have had as many as four different parole officers within a twelve-month period. How is a prisoner supposed to build a working relationship, address their dynamic risk factors and move forward within the system when they are seeing a new face every other week?

Some prisoners also had concerns about “inaccurate information” being placed on one’s file. This could affect important correctional decisions such as one’s security classification or whether one is listed as being a member of a security threat group. Given the fact that many prisoners reported an inability to access legal services, challenging inaccurate information on one’s file can sometimes be an impossibility as prisoners described the internal grievance system as being broken.

Prisoners also described to us a pattern of “risk averse... decision-making” on the part of Institutional Parole Officers and other decision makers in the system (Anonymous Prisoner 8 held in Beaver Creek Institution). A group of Anonymous Prisoners held in Mission Institution described to us an experience of having “little case management outside of timelines” and being in receipt of correctional plans that “lack any reality and teeth in that they act more as a record of ineffective programs”, rather than a plan to “move forward into a more productive lifestyle as a contributing member of society, which requires updated programs with accurate facts”. Their experience of case-management was depicted as one with “few opportunities to apply goal setting or model the behaviours using the very skills taught in our Integrated Correctional Program Model (ICPM) programs”.

Not only have prisoners become especially attuned to the implications of such changes to the CSC Case Management Policy Framework and how this may affect decision-making, but they have become acutely aware of the way that ‘law and order’ attitudes have become commonplace throughout the entire system. 1417 held in Riverbend Institution captures this with the following statement: “It is not only the confinement, it is the treatment. Guards have a master-slave view of their position. As such their own psyche can make for adversarial conditions”. Joe Convict held in Mountain Institution describes this change in attitude as a product of “reverting back to a system of punitive measures, rather than actually encouraging meaningful rehabilitation”. He tells us that “One product is that many staff express views on a daily basis that are either demeaning or completely dismissive of pain and suffering” and calls for “significant independent oversight”, possibly through the “appointment of a true ombudsman only answerable directly to Parliament and not to the government of the day via the Minister of Public Safety”.

Moving forward, prisoners’ expectations from their captors are not unrealistic – they simply ask what the system is asking of them, which is to be held accountable for their actions. As Ronald Small held in Mission

Institution reminds us: “these people signed *the Declaration* agreeing to undertake and maintain, in the course of their employment, the standards of professionalism and integrity that are therein set forth”. Prisoners’ calls for professionalism and integrity in corrections are fair requests.

Parole and Conditional Release Conditions

Parole was a common issue identified by prisoners. The two main changes that prisoners mentioned in their letters were the removal of the accelerated parole review by the Harper government and the extension of the amount of time that Lifers have to wait after being denied parole before applying again, which is now five years.

Anonymous Prisoner 1 held in Grand Valley Institution argues that Accelerated Parole Review (APR) was “a very important law and policy that must be in place to allow certain first-time federal prisoners to re-enter society at one-sixth of their sentences so that they can avoid the damage of incarceration, which undermines community safety”. In reference to the change in the eligibility period which an individual must wait before re-applying for parole, Alan Beaulieu of Stony Mountain Institution recognises that this policy shift importunately affects those serving longer sentences and more particularly, Lifers. Under the previous policy, upon reaching their eligibility date for a parole review, if a prisoner was denied, they could re-apply in two years, yet as he describes, under the current policy “you can be warehoused for years. The institutional parole officers often fail to review and update Lifer files for parole review”.

Effectively, for many prisoners the above-noted changes in policy have become a *de facto* lengthening of the portion of their sentences they serve behind bars. These punitive measures also coincided with other changes that restricted prisoners’ access to the community in a timely fashion, such as those placed upon access to Unescorted Temporary Absences and Escorted Temporary Absences. For many prisoners, these passes typically serve as stepping stones towards release and offer them an opportunity to experience life in the community, while also building credibility with their case management teams in advance of their parole hearings. Many prisoners who wrote to us now described being caught in a sort of “catch-22” (Anonymous Prisoner 12 held in Beaver Creek Institution). A.C.C.L of Beaver Creek Institution speaks to this dilemma: “I am essentially being barred opportunities to prepare myself for release and the way the system

is setup for Lifers, it seems that many of us that can safely re-enter the community will be incarcerated beyond their full parole eligibility dates”.

In terms of how prisoners are experiencing these changes to parole, they have noticed that they are often persuaded to postpone their parole hearings to a later date by their parole officers. J.D. held in Mission Institution observes:

I have found that in my case, and in most of the prisoners that talk to me about their case, we are being persuaded and pushed to waive our right to apply for parole when we are eligible. I have been told things by IPOs such as “I will not support you for parole unless you wait it out”, “I am 99.9% sure that you will not get parole if you do not waive or postpone your application for parole”, and “why are you in such a rush to get out of prison?”, at which point I had been in prison for over half of my sentence.

With regards to parole conditions, many prisoners have stated in their contributions that they are often set up to fail with restrictive conditions that are not always related to the offences that they originally committed. For example, William Allan Beaulieu held in Stony Mountain Institution explains: “The various minor parole breaches could be for drinking a bottle of beer, being late for curfew or talking to anyone with some type of conviction or accusation. This social behavior is the norm in a free and democratic society”.

Among the solutions to address the issues noted above was to reinstate APR for first-time, non-violent prisoners, which would also ease penitentiary crowding. It was also recommended that “one’s [parole] conditions can only include restrictions that are directly related to the offense. For example, if alcohol was not attributed as a cause of an offence then why put a restriction on a parolee that they cannot consume alcohol?” (1417, Riverbend Institution). While others suggested that there should be “alternatives to imprisonment for parole violations when the law is not broken” (Rachel Fayter and Sherry Payne held in Grand Valley Institution). It is argued by prisoners that a more liberal approach towards conditional release and restraint in the use of incarceration as a remedy to minor violations of parole would “facilitate rehabilitation by reducing time spent incarcerated and cutting down on the more than \$100,000 per year that it takes to house each one of us”.

Pardons

With sweeping changes made to the eligibility and wait times for which a person in conflict with the law can receive a pardon (see Doob and Webster, 2016), several responses from prisoners indicated the need to reverse reforms enacted under the previous government. Under the old law, individuals seeking to apply for pardon were required to wait three years following warrant expiry of their conviction and sentence for a summary offence and five years following their conviction for an indictable offence (ibid). While in power, the Conservatives nearly doubled these wait times and made certain categories of the criminalized un-pardonable, while at the same time imposing heavy handed user fees of \$631 that make even submitting an application for a pardon unfeasible for some (ibid).

Hyper A'Hern, who is completed an undergraduate degree and was accepted into medical school prior to his offence, notes the impact of not being able to apply for a pardon:

It was originally intended to allow people to not be defined by a single action and provide them with an incentive to work towards making amends by becoming a law-abiding citizen who contributes to society. Today's system is a mockery of those once proud ideals as the Harper government continually tore it apart so that it is nearly impossible to obtain. Many of the criminalized are no longer even potential candidates for a pardon and even if they are, the amount of time it takes to obtain a formal pardon would usually put one well into their golden years. In my situation, I would like to reiterate that not only did I once have grand dreams, but I am not a candidate for pardon. I have a schedule 1 offence with violence and so I am immediately precluded from a candidate position to obtain a pardon. This means that for the rest of my life, the best I can hope to achieve is mediocrity. Where is my incentive to contribute to society? Where is my incentive to not commit an offence again? Do we want a society where an individual is defined by a single action and their only deterrence for not committing harm is prison?

It was also recognised by some prisoners that with changes in technology, accessing information about an individual's past is often only a click away. 1417 held in Riverbend Institution recognised that "in today's world any criminal record against someone will live on forever. There is no 'pulling up

stakes and restarting' somewhere else as you could have in the pre-internet age". He advocates "that on a first offence that does not include violence and is punished with a sentence of less than five years that no record can be accessed by the media once the warrant has been completed".

Overall, the changes to pardon laws in Canada, described by Hyper A'Hern as "spiteful in nature" and contrary to the "ideals of the Canadian Values", require reform. The path forward that he offers is that the federal government and Canadians "to believe in the redemption of your fellow citizens, and support their efforts to change and become a productive member of their communities". Undertaking a serious examination of the changes brought about by the last government and adjusting the current policy in a manner that is supportive of such efforts seems to be a sensible course of action to take.

CONCLUSION

At the outset of this *Response*, we expressed optimism that perhaps Prime Minister Trudeau's professed commitment to "sunny ways" and mandated review of the penal system could lead to meaningful change – change that is desperately needed to calm the storm that has been raging in CSC facilities during the past decade. Recognizing that any attempt at meaningful change behind the walls ought to involve the voices of prisoners who have been weathering this storm and experienced recent penal reforms first hand, we are optimistic that the courageous and eloquent contributions will be received by the federal government as a reasonable forecast for change.

Yet our optimism, like the prisoners who wrote to us, is cautious. Many prisoners, in their letters to us, indicated that they had previously received many letters similar to ours asking for input and saying that their feedback could lead to change. There seemed to be a feeling of despair, as their previous interventions did not lead to the positive changes that they had wished to see. As stated by Daniel W. Threinen, who is chairman of a seniors group at Dorchester Penitentiary:

What really perturbs me about initiatives such as this collection is that a lot is said, but very little seems to come of it. You can publish in whatever journal you wish, but politicians do not read journals. I personally have been in this penitentiary system for 40 plus years without release and have engaged in

several “studies” of various types concerning incarceration. I have yet to see any of them bare any fruit. But having said that and being the optimist that I am, I must go by the adage, “nothing ventured, nothing gained”.

Forging beyond his pessimism, he nonetheless took the time and risk to submit a contribution to this endeavour. It was not lost to us or the prisoners who wrote to us that despite their *Charter* protected right to freedom of thought, belief, opinion and expression, participating in this exercise could result in retaliation. In fact, many of the prisoners who wrote to us, both opened and closed their letters with expressions that reveal the resiliency of their spirits and a certain optimism in spite of the challenges that they have faced and will continue to face if the government does not act now to address the issues they raised. A.C.C.L. from Beaver Creek Institution captured this with his statement that: “I believe people can change. I believe in rehabilitation and that people are genuinely good. Even as I am surrounded by negativity, constantly pounded, and put down by CSC, I have to believe in what people on the outside and parolees tell me when they say to hang in there, that when I am out things will be different and people are good”.

In reflecting upon this project, it should also be recognized that many of the prisoners who wrote to us also began their letters with expressions of accountability for the harms which have brought them to prison in the first place, often putting the burden of responsibility squarely on their own shoulders without reference to the structural factors that have invariably impacted their lives. One prisoner opened his letter to us with the inculpatory statement “To be very clear, my story is not about me decrying the fact I am in prison. I am very guilty and justifiably sentenced as a ‘dangerous offender’”.

On the whole, the responses that we received from prisoners comprise a comprehensive account of the impacts of the punishment agenda of 2006-2015, including a pragmatic forecast for change moving forward. As facilitators of this collection, we do not claim or endorse every recommendation for change as our own, nor unreflexively accept that every account of penitentiary life found within the margins of these pages can be taken as the impermeable testimony of life behind the wall, as is the case of all accounts of penalty, whether produced by captives, captors, academics, the media or anyone else. With this said, that certain issues were repeatedly identified by federal prisoners housed in penitentiaries in all of CSC’s five operational regions should speak to the credibility of their words. The voice

of one person raising an issue can be easily dismissed, but when several people are bringing forward similar concerns engaging in denial ought to be viewed as disingenuous.

It is our hope that our readers, and in particular Prime Minister Justin Trudeau and his Minister of Justice and Attorney General of Canada Jody Wilson-Raybould who was mandated to review criminal justice laws, policies, and practices enacted during the 2006-2015 period under the previous government, will take seriously the voices of prisoners. It is vital that they seriously consider and act upon reasonable calls for change moving forward in numerous areas.

Moreover, it is our hope that the all too often marginalized voices of women, Indigenous, Black, LGBTQ, and elderly prisoners will also be heard, and that their concerns will be meaningfully addressed. It is our belief that despite the fact that many of the challenges which prisoners face in the Canadian carceral state transcend the Harper-era, repealing the laws, policies, and practices introduced from 2006 to 2015 would be a “sunny way” to start the work needed to diminish this country’s reliance on incarceration and working towards justice that heals wounds, instead of creating new ones.

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APPENDIX

Journal of Prisoners on Prisons
c/o Justin Piché, PhD
Department of Criminology
University of Ottawa
Ottawa, Ontario, Canada
K1N 6N5

1 March 2017

RE: Call for input and/or submissions

Dear Inmate Committee Chairman:

Upon being elected, Prime Minister Justin Trudeau mandated his Minister of Justice and Attorney General of Canada Jody Wilson-Raybould to review criminal justice laws, policies, and practices enacted during the 2006-2015 period under the previous government. We believe that part of this process should involve prisoners who have experienced recent penal reforms first-hand to assess what have been their impact on the criminalized and what changes are needed going forward.

To this end, we are writing you to request your observations on what has changed in the prisons where you have served time during the last decade as part of the Harper government's "punishment agenda". We would like to know not just what you think about those changes and how they have impacted your lives, but also what you would like to see moving forward in terms of your main priorities for change and the types of social action those outside of prison walls could engage in to help address the challenges that presently characterize life in a federal penitentiary. It would be appreciated if you could provide via correspondence a list of the top 10 issues that you see as being priorities. For those in "multi-level" prisons, we would also welcome responses from individuals in settings like segregation or other areas of the prison where prisoners may not have the opportunity for "normal association". We understand that an individual's experience of incarceration may differ based upon their location within the prison.

This project is being led by Dr. Justin Piché (a criminologist at the University of Ottawa), Jarrod Shook (a former federal prisoner and now student studying criminology) and Bridget McInnis (a social work and

criminology student about to enter law school). Together we would like to compile your responses and publish them in an upcoming issue of the *Journal of Prisoners on Prisons* (www.jpp.org), an academic peer-reviewed journal that privileges the voices of those with lived experience relating to being criminalized and punished. Our goal is to offer you a platform to inform debates about Canadian penal policies and practices.

We sincerely believe that what you know to be true about federal prison life has value and we would like to see your knowledge reflected in the government's review of the criminal justice system. Please respond back to us by 30 March 2017 or shortly thereafter so that we may begin incorporating your experiences into our analysis. If you need any resources that may assist in this process or have any questions regarding the project or the *Journal of Prisoners on Prisons*, please do not hesitate to get in touch with us. We stand together with you in solidarity.

Sincerely,

Justin Piché, PhD
Bridget McInnis
Jarrod Shook

PRISONERS' STRUGGLES

Prisoners' Legal Services on Segregation

Simon Cheung

There is an abundance of horror stories about the practice of solitary confinement, and plenty of voices calling for its end as a cruel and counter-rehabilitative practice. However, there have also been scant few full-scale proposals detailing exactly how solitary confinement could be eliminated in Canada. In an effort to change this, on 28 November 2016 Prisoners' Legal Services (PLS) released *Solitary: A Case for Abolition* – a 112-page report that offers a variety of solutions supported by historical research, academic articles and precedents from other jurisdictions – to address the issues currently responded to using solitary confinement.

The primary purpose of the report is to initiate discussions aimed at finally ending solitary confinement, also known as segregation and separate confinement in the Canadian federal and British Columbian prison systems respectively. The scale and complexity of such a process is not lost on PLS. We understand the process will likely take years of reform. However, *Solitary: A Case for Abolition* contains a comprehensive collection of current research and recommendations that, if implemented, could form a firm foundation for future dialogue in working committees or meetings between correctional organizations and stakeholders like PLS.

PLS is a legal clinic located in Burnaby, British Columbia that started off as a branch office of the BC Legal Services Society (BC legal aid) in 1980 and continued as a Legal Services Society-funded non-profit in 2002. Executive Director Jennifer Metcalfe oversees a small team of legal advocates and administrative staff who strive to further the organization's mandate of protecting British Columbian prisoners' liberty rights as enshrined under section seven of the *Canadian Charter of Rights and Freedoms*. Under this section, individuals in Canada are protected from government-imposed deprivation of their right to life, liberty and security of the person except in accordance with the principles of fundamental justice.

Complaints regarding solitary confinement – defined by the United Nations as “the confinement of prisoners for 22 hours or more a day without meaningful human contact” – from prisoners in both federal and provincial institutions across BC are commonly raised at PLS. On a day-to-day basis, PLS provides a range of support for clients in such circumstances: summary advice over one of our six phone lines; written advocacy; and

in-person representation by advocates and lawyers. However, *Solitary: A Case for Abolition* represents a longer-term ambition of our organization. It is intended to be, in essence, a blueprint for the abolition of solitary confinement.

The United Nations considers the use of solitary confinement on prisoners with mental disabilities or for anyone for more than 15 days to constitute torture or cruel treatment. For this reason, the *United Nations Standard Minimum Rules for the Treatment of Prisoners* (the *Mandela Rules*) prohibit the use of solitary confinement for those with mental or physical disabilities that would be exacerbated by its use, and limits its use for other prisoners to 15 days.¹

In order to facilitate the abolition of solitary confinement, *Solitary: A Case for Abolition* proposes a multi-faceted alternative system focused on addressing the therapeutic needs of prisoners via the implementation of a trauma-informed approach, dynamic security techniques and de-escalation practices. Correctional organizations are encouraged, for example, to establish specialized mental health units in greater numbers than currently exist, as both the federal and BC status quo are not adequate to the task of providing psychological treatment to prisoners who require it. These resources would, the report argues, largely prevent the problematic behaviours that solitary confinement not only fails to address, but in many cases aggravates and escalates.

On this point, *Solitary: A Case for Abolition* references a 2010 report by Dr. Margo Rivera concerning the Correctional Service Canada's treatment of prisoners deemed to be mentally ill. In it, she found that dismissive or confrontational responses from staff to prisoners' negative behaviour or complaints only serve to foster contentious relationships between captors and captives, which often leads to an escalation in conflict.² Dr. Rivera recommended that segregation staff selection, training, supervision and evaluation be reviewed and enhanced, and encouraged the staffing of a stable, high calibre team in segregation units trained in conflict-diffusion skills and the use of professional, respectful, encouraging, and empowering communication with prisoners.³

The report also draws on research such as the work done by Niki Miller and Lisa Najavits, who argued that a trauma-informed approach – where correctional staff are familiar with and sensitive to trauma and its symptoms, and are thus better prepared to compassionately handle its common responses

and reactions from prisoners – combined with interventions designed to address trauma symptoms, would reduce both harm to prisoners and staff, as well as decrease correctional security costs.⁴ It seems clear that such a system would also result in less reliance on solitary confinement in response to behavioural issues.

As well, *Solitary: A Case for Abolition* canvasses case studies from Canada, the United States and the United Kingdom to not only identify common problems, but find success stories where jurisdictions have drastically reduced their use of solitary confinement and initiated innovative mental health programs for prisoners.

The State of Colorado and its Department of Corrections, for instance, have been lauded for their progressive legislation and policy that places strict limits on their use of solitary confinement, as well as specifically directing resources to prison mental health services and requiring regular, public reporting of data from their solitary confinement practices. Notably, the state not only banned the use of solitary confinement for those with serious mental illnesses, but expanded the definition of “serious mental illness” to include, regardless of diagnosis, any prisoner indicating a high level of mental health needs demonstrating significant functional impairment within the correctional environment. The combined effect of these measures reduced Colorado’s segregated prison population from 1,500 in August 2011 to 177 in September 2015.

Even with such preventative measures, however, PLS recognizes that there may be occasions when prisoners require immediate separation from the open prison population. *Solitary: A Case for Abolition* advocates for limiting cell lock up to a few hours within one day, while ensuring that prisoners who are separated from other prisoners are provided sufficient daily meaningful human contact to ensure that their mental health is not impacted by isolation. This would also require greater external oversight of correctional institutions’ use of population management practices and mental health supports in general. For guiding principles behind such oversight, the report looks to the 1996 Arbour Report, the 1997 Task Force on Administrative segregation, various reports of the Correctional Investigator of Canada, the 2016 Ombudsman of Ontario report *Segregation: Not an Isolated Problem*, to the Ontario Ministry of Community Safety and Correctional Services’ review of segregation policies, and the 2015 *Mandela Rules*.

Solitary: A Case for Abolition draws on testimonies from prisoners who have experienced derelict conditions in solitary confinement to reinforce the importance of strictly limiting its use. Prisoners regularly contact PLS reporting segregation cells spackled with biohazards like urine, feces and blood. They describe excessive uses of force by segregation staff and guards who shut off water, lights and power to cells as punishment to prisoners. This is in addition to the cruel practice of isolating prisoners in a cell for 23 hours or more with little to no human interaction.

Canada has already felt the consequences of insufficient action to curb such inhumane treatment. On 19 October 2007, Ashley Smith died from self-strangulation while correctional officers watched after being segregated for 11 months despite her severe mental illness. Her death was later ruled a homicide by an Ontario coroner. Since then, prisoners like Edward Snowshoe, Christopher Roy, Terry Baker and others all tragically ended their own lives after segregation and their resulting compromised mental health.

Solitary: A Case for Abolition contains 39 total recommendations aimed at a more evidence-based, treatment-oriented and security-conscious correctional system. The most ambitious involve the complete prohibition of solitary confinement in Canada. PLS recommends the following legislative changes:

- The prohibition of solitary confinement in legislation requiring that, if it is absolutely necessary, solitary confinement (or short-term cell lockup) only be used for as short a period of time as necessary within one day, and requiring sufficient meaningful human contact each day; and
- The complete prohibition of solitary confinement on prisoners with mental disabilities and youth under the age of 21.

If the practice of solitary confinement continues, PLS recommends the following legislative changes:

- Enforcement of prisoners' statutory right to procedural fairness, including the right to an oral hearing of the evidence, legal representation of the prisoner's choice, and binding independent adjudication of segregation or separate confinement placements;
- Authority given to independent adjudicators to remove prisoners from segregation or separate confinement, order access to programs

or privileges, and recommend investigations and disciplinary proceedings against correctional staff who have violated law and policy;

- Time limits of 15 days' continuous placement, with an annual limit of 30 days; and
- External oversight of solitary placements to ensure that prisoners are not isolated, are provided opportunities to keep their minds productively occupied and have adequate levels of meaningful human contact each day.

PLS recommends the following general practices for housing prisoners in solitary confinement:

- Segregated prisoners should have as much human contact as possible with people from outside the institution, as well as with programming, religious and medical staff;
- Small groups of prisoners should be allowed to socialize if there are no serious safety concerns, such as for religious ceremonies, programs or in the yard;
- Access should be provided to counselling and behavioural therapy, programs, school, work and religious or community support;
- Psychological services should be offered to prisoners in segregation or separate confinement in a private area, rather than only through the cell door;
- All segregated prisoners should have access to television and personal effects within one day;
- A complete prohibition on double-bunking in segregation;
- The discipline and removal from vulnerable prisoners of any staff who behave inappropriately in relation to segregated prisoners or who fail to provide segregated prisoners with daily access to showers, telephones, cleaning supplies and a separate hour of daily exercise; and
- The provision of de-escalation training and conflict-diffusion skills as a central part of all correctional officer training, with refresher courses required every three years.

As well, since mental health issues are so commonly linked to institutional decisions to segregate prisoners, PLS recommends the following practices:

- Funding to designate at least half of the beds in each prison as therapeutic living units on an ongoing basis, adequately staffed by appropriate mental health professionals;
- Legislation specifying that the number of specialized therapeutic beds available must be sufficient to meet the mental health needs of a broad and inclusive class of prisoners with mental health needs (including prisoners who, regardless of diagnosis, demonstrate significant functional impairment within the correctional environment);
- That specialized mental health units no longer be considered transitional units, but that prisoners be permitted to stay in these units as long as they are benefiting from a therapeutic environment;
- The provision of additional mental health supports for any prisoners in voluntary segregation or separate confinement due to mental health problems, and offers for placement in units specifically designed for prisoners who have difficulty interacting socially with others, staffed by correctional officers and mental health professionals skilled at encouraging positive social interaction; and
- Guidelines stipulating that health care professionals who work in prisons must not play any role in approving prisoners for solitary confinement, must report to the warden if they consider a prisoner's physical or mental health is at risk by continued solitary confinement, and must report the use of solitary confinement on prisoners with mental disabilities or solitary confinement of more than 15 days to the applicable regulatory College of Physicians, the federal Correctional Investigator or provincial Investigation and Standards Office, and the federal or provincial Minister of Justice.

These and the other recommendations in *Solitary: A Case for Abolition* aim to protect prisoners and correctional staff alike. The adversarial culture that often manifests in Canadian corrections has resulted in preventable harm and, at times, deaths. As well, prisoners are often released who are more familiar with the blunt end of institutional security measures than rehabilitative counseling, and feel embittered against the correctional system – and thus, society as a whole – as a result. PLS proposes a system with the belief that we can do better and implores Canadian corrections start a dialogue toward making these ideals a reality.

ENDNOTES

- ¹ UN General Assembly, United Nations Standard Minimum Rules for the Treatment of Prisoners (the Mandela Rules): note / by the Secretariat, 29 September 2015, A/C.3/70/L.3, [The Mandela Rules]. Online: [http:// www.refworld.org/docid/56209cd14.html](http://www.refworld.org/docid/56209cd14.html).
- ² Rivera, Margo (2010) *Segregation Is Our Prison Within The Prison: Operational Examination of Long-Term Segregation and Segregation Placements of Inmates with Mental Health Concerns*, Ottawa: Correctional Service Canada, page 65.
- ³ *Ibid* at pages 65 and 83.
- ⁴ Miller, Niki A. and Lisa M. Najavits (2012) “Creating Trauma-informed Correctional Care: A Balance of Goals and Environment”, *European Journal of Psychotraumatology*, 3: 10.

CONTACT INFORMATION

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Call for Artwork
50th Anniversary of the Department of Criminology at the University of Ottawa



The Department of Criminology at the University of Ottawa was founded in 1968 and has since developed a reputation for interdisciplinary and critical criminological scholarship that advances alternative ways of seeing and responding to criminalized acts and other social harms. This orientation characterizes much of the department's work today despite the growth of managerial and administrative criminologies elsewhere, along with the rise of explicitly exclusionary and punitive state policies and practices with respect to 'crime' and 'security'.

As part of the 50th anniversary of the Department of Criminology at the University of Ottawa, we invite artists who have experienced imprisonment and others forms of state repression to submit one or more pieces of artwork that make visible the realities of criminalization and other forms of social exclusion. Twenty (20) submissions will then be selected for, and sold at, an art exhibition at the University of Ottawa with all proceeds going to the artists. Non-selected artwork will be returned to the artists by mail.

SUBMISSION GUIDELINES

Please send a short biographical statement, as well as a title for and brief description of your artwork, along with your submissions to the address below. Also include a return address where we can direct all correspondence and send funds from the sale of your artwork (if applicable).

* Artwork: "Breaking the Chains" by Ronnie Goodman (2012)
at www.ronniegoodman.com



KEY DATES

1 May 2018 - deadline to submit artwork
1 June 2018 - selection of artwork announced
/ non-selected artwork returned to artists
10-13 September 2018 - art expo and silent
auction at the University of Ottawa
13 September 2018 - art purchasers
announced at 50th anniversary conference
1 October 2018 - proceeds from art expo and
silent auction sent to authors

FOR MORE INFORMATION PLEASE CONTACT

justin.piche@uottawa.ca (English) and
Sylvie.frigon@uottawa.ca (French)

PLEASE MAIL YOUR SUBMISSIONS TO

CRM Art Expo and Silent Auction
c/o Department of Criminology
University of Ottawa
120 University Private, Room 14002
Ottawa, Ontario, Canada
K1N 6N5

Oeuvres d'art recherchées
50^e anniversaire du département de criminologie de l'Université d'Ottawa



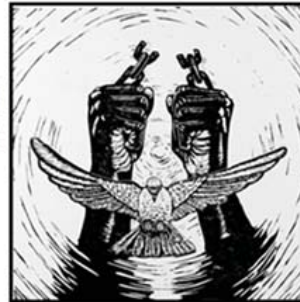
Le Département de criminologie de l'Université d'Ottawa a été créé en 1968 et s'est depuis démarqué par son interdisciplinarité et sa recherche en criminologie critique qui propose des façons alternatives de conceptualiser les activités criminalisées et autres torts sociaux et d'y répondre. Cette perspective oriente aujourd'hui le travail du département malgré la croissance généralisée de courants criminologiques administratifs et gestionnaires, ainsi que la montée de pratiques et politiques publiques explicitement punitives sur les questions de « crime » et de « sécurité ».

Dans le cadre du 50^e anniversaire du Département de criminologie de l'Université d'Ottawa, nous invitons les artistes qui ont vécu l'incarcération et autres formes de répression étatique de soumettre une œuvre d'art ou plus afin de rendre compte des réalités de la criminalisation et autres formes d'exclusions sociales. Vingt (20) œuvres seront donc choisies et vendues lors d'une exposition à l'Université d'Ottawa. Tous les profits iront aux artistes. Les œuvres non-choisies seront retournées aux artistes, par la poste.

DIRECTIVES DES SOUMISSIONS

Une courte biographie ainsi que le titre et une brève description de l'œuvre devraient accompagner l'œuvre soumise à l'adresse indiquée au bas. Ajouter une adresse où toute correspondance et les profits de la vente pourront être acheminés (le cas échéant).

* Oeuvre d'art: "Breaking the Chains" par Ronnie Goodman (2012)
www.ronniegoodman.com



DATES À RETENIR

1^{er} mai 2018 - date limite pour soumettre une œuvre
1^{er} juin 2018 - annonce de la sélection des œuvres/œuvres non-choisies retournées aux artistes
10-13 septembre 2018 - exposition et encaissement silencieux à l'Université d'Ottawa
13 septembre 2018 - Acheteurs des œuvres annoncés à la conférence du 50^e anniversaire
1^{er} octobre 2018 - profits de l'encaissement silencieux transmis aux artistes

**POUR DE PLUS AMPLES RENSEIGNEMENTS
CONTACTER :**

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sylvie.frigon@uottawa.ca (français)

**VEUILLEZ TRANSMETTRE VOTRE
SOUSSION ARTISTIQUE À**
CRM exposition d'art et encaissement silencieux
c/o Département de criminologie
Université d'Ottawa
120 rue Université, pièce 14002
Ottawa, Ontario, Canada
K1N 6N5

COVER ART

Peter Collins was a writer, artist, musician, cartoonist, activist, filmmaker, organizer and prisoners' rights advocate. Peter was a social critic who offered thoughtful insights about the structures of violence inherent in the world around us. His tireless commitment to social justice from inside prison made him a target of harassment by Correctional Service Canada (CSC), which ultimately prevented his release. Peter passed away on 13 August 2015 of bladder cancer after having served 32 years on a Life-25 prison sentence. He was 10 years passed his parole eligibility dates. A collection of his comics, art and written work, entitled *Free Inside: The Life and Art of Peter Collins*, will soon be published by Ad Astra Comix (see www.adastracomix.com).

Front Cover: "Maple Leaf"
Peter Collins

Back Cover: "If You Build It..."
Peter Collins