

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appointed by the Conservatives to key positions within CSC and related departments such as Justice Canada have not been replaced by the new federal government.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.