



Senators Wanda Thomas Bernard, Jane Cordy, Nancy Hartling and Kim Pate

News Release

Bill C-75 Ignores Warning Signs in Prisons

April 10, 2018 (Ottawa) - How many more prisons are about to erupt like the Saskatchewan Penitentiary did last year? How many staff harassment and assault claims will there be from other prisons besides Edmonton? How many sadistic fight clubs are being run in men's prisons throughout the country? If staff are treating each other in such cruel and callous ways, how likely is it that the human rights of prisoners are being respected, much less upheld?

Last week, as the federal government launched its most recent justice reform bill, four members of the Standing Senate Committee on Human Rights visited all of the federal penitentiaries in the Atlantic region. We also visited the East Coast Forensic Centre in Burnside, Nova Scotia, and held one of the most well-attended public hearings in the Senate's history at the Black Cultural Centre in Cherry Brook, Nova Scotia.

The Senate Human Rights Committee will likely soon release an interim report on its study of the human rights of prisoners. We are so concerned about the state of affairs in our prisons, however, coupled with the growing awareness of just how much federally sentenced prisoners are not merely aware of the committee's work but are banking on us to take action that we determined that we must speak out now.

Two of us have frequently visited these prisons; two of us were visiting for the first time.

From the airport, we went immediately to the forensic centre. Tona, a patient there, described the differences between her 10 years in federal custody, all of which she spent segregated for what was described – even by institutional psychologists – as attention-seeking behavioural issues. Once in the mental health system, she was diagnosed as schizophrenic and her elevated states of psychosis have been directly linked to her extended periods in isolation. She implored us to get people with mental health issues out of prisons and into appropriate mental health services. She also urged us to call for the abolition of the use of segregation and suggested that we might call this legislative change, *Tona's Law*.

During the public meeting, we heard from world-renowned experts and academics, allies and activists, as well as former prisoners and family members, who urged us to be courageous and bold. Despite the reality that all research and evidence establish that the likelihood of people successfully integrating into the community following incarceration is directly linked to the extent and availability of communities of support, a place to live and the means to support themselves, and is enhanced by meaningful engagement in the community, we heard countless examples of the manner in which correctional policies and practices frustrate these possibilities.

From cancelled passes that commence structured, gradual community integration, to invasive restrictive security measures that include credit checks for volunteers and staff of non-profit community and church groups, to inadequate and inaccessible – even inapplicable – programs, to unavailable staff, the legion of challenges of conditional release and community integration were outlined by former prisoners, family members, community leaders and academics in stark relief before we even entered a federal penitentiary.

We were all struck by the levels of despair and hopelessness expressed by so many of the prisoners with whom we met, whether in groups or as individuals, including through bars or solid metal doors. Many of the same issues surfaced consistently. Despite a very managed experience and the constant hover of CSC staff, what we experienced belied some excellent presentations. We heard of the many programs and employment opportunities, yet mostly observed people confined in their cells or in small living units. We heard about robust release and community integration plans from staff and about a multitude of bureaucratic and resource obstacles experienced by those inside, as well as their families, friends and other communities of support.

We saw many empty cells in some segregation units, but heard of many ways that the prison environment has become more restrictive overall, with many lockdowns and mass searches, many of which sounded like they violated law. CSC certainly has the authority to conduct exceptional searches – but not on a regular basis. We saw posters advertising the role of the Correctional Investigator, the Ombuds office for federal prisoners ... they usually looked new and as though they were freshly posted, yet virtually every prisoner expressed frustration with their inability to grieve or receive remedial action for correctional breaches of policy, much less law. The recounting of instances of racism, violent uses of force and breaches of law and policy were frightening. The fact that some staff incite racist violence and attitudes, in addition to encouraging younger prisoners to prey upon those who are older or who have intellectual and/or mental health issues, was at once appalling and frightening.

Everywhere we visited, we were met with the smell of fresh paint and institutional cleaners, as well as both the sounds and silences of profound despair and frustration. Prisoners repeatedly requested that they be able to access community supports and advocates, as well as their appreciation for the work of the Senate Human Rights Committee.

Prisoners described themselves as literally glued to their televisions when our Ottawa hearings are aired. The importance that they have placed on this study has inspired us to express our appreciation for those with whom we met and our concern for the need for immediate action to remedy the conditions that give rise to and perpetuate the alarming use of our criminal justice system and prisons to address the poverty, addiction, mental health issues that could and should be alleviated in our communities.

We, Senators Wanda Thomas Bernard, Jane Cordy, Nancy Hartling and Kim Pate -- members of the Senate Committee on Human Rights – must, and we pledge to do all we are able to ensure that we can, to do better!

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