News Release

We Must Do Better:
Senators Comment on the Office of the Correctional Investigator's Annual Report

FOR IMMEDIATE RELEASE

OTTAWA, THURSDAY, NOVEMBER 1, 2018 – As Parliament considers proposed amendments to federal corrections legislation, the recommendations of the Office of the Correctional Investigator's (OCI's) Annual Report reveal a litany of issues that require immediate remediation.

The OCI recommends breathing life into the law allowing Indigenous prisoners to be transferred into the care of Indigenous communities and the need to negotiate contracts and policies to facilitate transfers to psychiatric facilities for those with mental health issues. This requires CSC to take meaningful steps toward implementing the human rights basis and legislative intention to end the overrepresentation of Indigenous prisoners and those with mental health issues in prison. These recommendations echo what Senators Pate, Cordy and Bernard of the Senate Human Rights Committee observed during fact-finding visits to federal penitentiaries across the country. "Over the course of the study, the committee heard from prisoners, allies and experts in the field. A diversity of voices urged us to do all we can to improve the circumstances of prisoners, especially those living with mental illness by getting them into appropriate community-based mental health services. Again and again we heard cries for the decarceration of Indigenous prisoners, especially women, people with disabilities, and people dealing with poverty," advised Senator Wanda Thomas Bernard, Chair of the Senate Human Rights Committee.

While the recently introduced Bill C-83 offers no measures to address the lack of external oversight of Correctional Services Canada (CSC), the OCI report reminds us why greater accountability is so vital. For instance, the report's findings regarding the death of Ms Terry Baker in administrative segregation demonstrates how the lack of adequate oversight of decisions resulted in Ms Baker being repeatedly sent to segregation instead of to an appropriate mental health or hospital setting. It likewise identifies CSC's internal investigation into the death of Mr. Matthew Hines while in segregation, as just one example of how CSC's monitoring and review frameworks fail to address issues of managerial responsibility, a lack of accountability reflected and exacerbated by CSC's broken and ineffective grievance system and workplace culture.

"The Correctional Investigator exposes the superficial and inaccurate nature of CSC's own internal investigations, including their examination of the December 2016 'riot' at Saskatchewan Penitentiary, which resulted in the death of a prisoner," continued Senator Jane Cordy, Deputy Chair of the Senate committee. "The OCI recommendation for independent and external investigation into deaths that occur in federal prisons mirror what we have heard, from nearly every prisoner and many staff. Frustrations abound regarding the inability of prisoners to receive remedial action for breaches of law and policy by CSC, from inadequate food to long periods of isolation without access to programming to racism and violent uses of force or incitement by staff."

"The state of despair and hopelessness amongst prisoners in Canada is beyond discouraging and a blight on our international reputation as international human rights defenders," observed committee member Kim Pate. "The OCI report demonstrates that the limited approach Bill C-83 has taken with respect to correctional accountability is insufficient and must be remedied," concluded Senator Kim Pate. "It is time that we take action to uphold human rights for all."

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