

Prison inmates take federal government to court over pay cuts

Suit says move to cut inmate pay violates Canada's Charter of Rights and federal laws

A group of inmates in Ontario is taking the federal government to court over its recent move to cut the pay they receive for prison work. Last October, the Correctional Service of Canada (CSC) slashed inmate pay rates by 30 per cent, claiming the money was to pay for room and board and the inmate phone system.

The government said the move was to make inmates more accountable and would save the government about \$4 million out of its more than \$2.6-billion annual budget.

According to the statement of claim, filed by the inmates, the old inmate pay scale, which was set up in 1981 by a parliamentary committee, was based on a minimum wage at the time and included a deduction of 85 per cent of that minimum wage to cover room, board and other prison costs.

Under that system, an inmate at the top of the inmate pay scale could receive \$6.90 a day, but only a small percentage received that. The average was about \$3 a day. Now most inmates' take away pay is far less than that.

Todd Sloan, the lawyer who represents the inmates, calls the pay cut "double dipping." In an interview with CBC News, he said it violates Canada's Charter of Rights and Freedoms and the inmates' right to "liberty and security of the person" in a manner that can't be justified.

Can't afford to keep contact with families

Sloan said the move also runs contrary to the Corrections and Conditional Release Act, the law which governs federal prisons. "It will have an impact on their ability to reintegrate and so is at odds with the whole purpose of the Act."

The suit claims the new pay scale means many inmates are no longer able to pay for phone calls, send money out to support their families or have money to prepare for their release. Inmates must also use their own money to purchase personal hygiene items such as shampoo, soap, deodorant and over the counter medications, which the system no longer provides.

"We are regressing ... the whole trend in corrections now is away from the principles of good corrections," Sloan said. "The two prime purposes of the CCRA are safety of the public and the safe reintegration of offenders. This type of action works at odds with those principles."

Jarrod Shook is an inmate at Collins Bay Institution in Kingston and one of four inmates pursuing the claim. In an interview with CBC News, he said the pay cut has affected his ability to pay the costs associated with university courses he is taking. He said it also means fewer phone calls with his professors and having to scrimp to save money for stamps to send in assignments.

Shook said some inmates have cancelled visits with their families because they can no longer afford to send them the money for travel or pay for food they must buy during those visits. Others are being left with little or no money to plan for their release, which he said lowers their chances of succeeding on the street.

"I think right now the Harper government is simply living off the avails of imprisonment and their punishment agenda," he said. "They advertise the punitive and retributive policy like it is a cost saving measure when in reality they've simply signed up Canadians for billions in long-term correctional budget expenses.

"Policies like this simply ensure that prisoners will be coming back (to prison)," he said.

Shook said the cuts have led to growing tensions inside as inmates fight over scarce resources, and that can prompt violence. "These measures don't improve public safety and they don't save money," he said.

Last fall, inmates at prisons across the country went on strike to protest the cuts. They wanted an opportunity to discuss the cuts with the Commissioner of Corrections, Don Head. Sloan says, by law, corrections officials are supposed to undertake meaningful consultation with inmates before such policies take effect, but Sloan said that never happened.

The federal government has indicated it will fight the suit, but has said little else about the case.

"It would be inappropriate to comment on matters that are currently before the courts," Melissa Hart, a spokesperson for CSC, wrote in a statement to CBC News.

The case is expected to be heard this fall in federal court.

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