

**A cha wile siem tse tso si iem. Hy cha ka leeltia, tsee tsees, - oh toh kin**  
***Salish Kwakuitl (Kwakwaka'wakw Nation)***

Greetings my relations, I am honoured to be in your presence, thanking the grandmothers and grandfathers, for the strength of our ancestry

**Palamaya Wakan tonka, ooshay mi yalo, tahanshay & weas**  
***Lakota Sioux***

Thank the Great Spirit, watching over the brothers and sisters, in good spirit

This introduction is written by and for Aboriginal women. It must necessarily form part of the entire proposal put forth to the Canadian Human Rights Commission in the matter of the complaint registered against the Correctional Service of Canada (CSC) by and on behalf of Federally Sentenced Women (FSW) across Canada. Aboriginal women compose a cultural and ethnic majority of FSW.

However, it must also be read and be seen to be a separate document that is a full acknowledgement that the Aboriginal sisters who are incarcerated form a group of individuals from many nations of Aboriginal women, each nation being unique from each other but who are by the very grouping of the description of "Aboriginal" subject to treatment as a homogeneous group. They also continue to be discriminated against within every branch of government by the very nature that Aboriginal women had and/or have little and/or no voice in the government of most of their own communities, reserves and lands in Canada.

This document must be added to all documents written by and for Aboriginal women in Canada. This is part of their story. And within this story lies the conundrum, the question of whether or not legally, morally and/or culturally each individual, incarcerated Aboriginal woman can possibly be accorded Human Rights within definitions that have been created by non-Aboriginal men.

## **Who We Are**

Formerly incarcerated women alongside pillars in areas of social advocacy like Karlene Faith, professor of Criminology at Simon Fraser University (SFU), June Callwood, columnist, author and television host, and the late Claire Culhane (Prisoners' Rights Group) incorporated the **Strength In Sisterhood (SIS) Society** in 1995. Due to the unprecedented assistance of Kim Pate, Executive Director of the Canadian Association of Elizabeth Fry Societies (CAEFS), the voices of federally sentenced women (FSW) are now heard across the country. With strong support from social activist pioneers like Des Turner and from other social justice groups like Joint Effort, and the West Coast Prison Justice Society, SIS has endeavored to represent the interests of women inside and outside the walls of penitentiaries, prisons and jails. We have participated in hearings like those conducted by the Honourable Justice Louise Arbour and in sessions by the CSC and the National Parole Board and on panels sponsored by social justice groups. We continue our input into public education with presentations to university classes and NGOs and through our books, films, radio interviews and other initiatives.

As Karlene succinctly enunciated in her “self-interview”, the primary purpose of SIS is to reduce the numbers of women returning to prison. By working in areas of advocacy, monitoring to prevent abuses, networking with other community groups, promoting accredited educational and vocational assistance, and supporting women throughout their incarceration and release each SIS member works towards our ultimate desire - the promotion of the abolition of the imprisonment of women through the consultation and development of alternatives to prisons for women with other women’s organizations in participation with and in response to the needs articulated by the women affected.

## **SIS Contributors**

The contributors to this booklet speak to our personal experiences as a group having served more than 26 years of provincial imprisonment and 18 years of probation, more than 113 years of federal imprisonment, 19 years of day parole and 43 years of full parole. Nine of us have served time in the now infamous Kingston’s Prison for Women (P4W). Five of us are ‘lifers’ and accordingly will report to our CSC parole officers for the balance of our lives. All of the contributors lead law-abiding, productive, pro-social lives while our sisters and brothers inside continue to survive within the excessive restrictions imposed upon them. The following members of SIS have contributed to these proposals on behalf of all FSW in Canada:

Auger, Bev	Blondell, Brenda	Bouchard, Sylvie	Evans, Heather,
Faith, Karlene	Hansen, Ann	Horii, Gayle	Iverson, Phylis
Johnson, Yvonne	Lyons, Kris	Miller, Jordy	Rauch, Sarah
Rouse, Eddie	Vestering, Willie	White, Kelly	

We know the far-reaching damages that are perpetrated when correctional controls are unabated, when correctional authorities continue to act unlawfully and without reproach. That the incarceration of any individual involves both family and community is a fact that no one can deny along with the fact that their future generations are also necessarily impacted. Through nepotized controls in the ranks, the correctional arena has continued its outdated unlawful actions against FSW ignoring the rulings of both the 1975 UN Standard Minimum Rules For the Treatment of Prisoners and the 1985 entrenchment of the Charter of Rights and Freedoms into the Constitution of Canada. These are not simply ‘words said,’ they are words that describe actions that must be done. The Charter cannot be laid aside as merely “talk” like the Mission Statement of the CSC is. We have come to this Commission to obtain the rights for women in prison, the rights promised **to be actioned** by the 1985 Canadian Human Rights Act and the 1985 Charter of Rights and Freedoms within the Constitution Act of Canada supported by the 1948 United Nations Universal Declaration of Human Rights and the 1950 European Convention for Protection of Human Rights and Fundamental Freedoms.

## **The Politics of Incarceration and Control**

In China the new “Women’s Re-education Through Labour Camp” just opened in Beijing.<sup>1</sup> The warden, Zhu Xiaoli described its “pink-coloured buildings, Grecian

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<sup>1</sup> “A jail by another name.” The Economist. Dec 21, 2002-Jan 3, 2003:52.

columns, expansive lawns, rose beds and plane trees” in an effort to make “It feel(s) inviting,” adding that, “We don’t want to make it like a fortress. It should be lively and human.” Do these words fool any of us into believing that in fact this “inviting” facility even remotely reflects the treatment and/or the reality of the women imprisoned within its “ten-meter wall”? Of course - not! Why? Because China’s record of human rights abuses is long established and as well, unfortunately - continues.

The CSC claims that prisons in Canada are considered to be “among the best in the world” and many will argue that there can therefore be little to complain about. In the sense that Canada is worlds apart from many ‘demonized’ countries, demographically, economically and politically, our prisons in fact should be the best - they should reflect conditions in Canada. But in synchronicity, the treatment of prisoners within Canadian prisons should also be the best in the world. Canada should have no records of human rights abuses. This is however, not the reality as attested to by many previous commissions, inquiries and parliamentary committees or by the Office of the Correctional Investigator, whose activities are mandated under law and whose annual reports contain scathing criticisms of the CSC’s treatment of prisoners and lack of compliance with the CCRA.<sup>2</sup> Also, in synchronicity with other nations from Australia to Papua New Guinea to the USA we should be ashamed to admit that we incarcerate more of our Aboriginal people and people of colour than any other “ethnic and or racial” component of peoples.

We also incarcerate people for longer terms than most other democratic countries in the free world and despite our numerous laws our correctional regimes act unlawfully and without reproach. This results from well-funded, public relations correctional and policing personnel who produce reams of printed and videoed ‘testimony,’ by most of the current media dominated by foreign national and corporate interests and by the resultant public misunderstanding.

Why are we currently doing what we are doing in Canada? – really doing? Do we wish to copy the worst of the methods of our neighbours to the South? - a country merely ‘symbolic’ of a land of freedom where now in the 21<sup>st</sup> century they incarcerate more people than any other country in the free world? - a country where their own Aboriginal prisoners do not yet have the right to practice their own Native Spirituality? – a country whose prisoners in their super maximum security prisons<sup>3</sup> never see daylight? Do we wish to imitate a country’s politics that are stridently hypocritical, one in which their own Equal Rights Amendment sits mootly, never having been ratified?

In Canada we risk losing more and more human and civil rights by not applying our own abilities to use common sense and critical thinking - to demonstrate against and to stop practices that are obviously abusive and contrary to human rights legislation. Do we not want to honour our own laws, to honour the women who gained the right to vote in Canada, to honour those who struggled so hard to have women’s rights included in the Charter of Rights and Freedoms by acting to stop human rights abuses? The moves toward even more authoritarian and militarized controls are amply evident within the

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<sup>2</sup> <http://www.oci-bec.gc.ca/ehome.asp>

<sup>3</sup> “Cruel and Unusual Punishment.” Harper’s Magazine. July 2001:92

country 'saber-rattling' to our south. Yet, our own Prime Minister along with many others around the world has warded off their efforts to bully or to coerce democratic countries towards the reckless abandonment of UN principles and instead has aligned with the UN Council in their efforts to achieve a lasting peace without the destruction of a nation's people – to provide peaceful alternatives with which the disarming of another nation might begin to be achieved.

What we are asking the Canadian Human Rights Commission to do is no less. For certainly the struggle we are involved in is similar since it is the struggle for the application of human rights, rights to make choices, to resolve disputes in a peaceful manner not in a violent and confrontive manner. As Martin Luther King, Jr. said, "We must come to see that peace is not merely a distant goal we seek, but it is a means by which we arrive at that goal...We must pursue peaceful ends through peaceful means." Our struggle is for conditions that help to end the long cycles of poverty, discrimination and hatred, the franchisement to entrench the rights and the assistance needed in order for everyone including prisoners and former prisoners to pursue a better life for oneself and for one's family and community, to become active and capable participants in a free and democratic society in an ultimately free and democratic world. The Human Rights Commission has an opportunity now that it cannot afford to overlook for this matter could indeed lay the groundwork for the future. The photograph on the cover of the latest issue of *The Economist*<sup>4</sup> portrays a man; head flopped forward, bound to a chair, with the caption, "Is torture ever justified?" The criminal code of Canada, s.269.1 defines torture and the possible punishment of 14 years imprisonment for a conviction. It also makes clear that

(3) it is no defence to a charge under this section that the accused was ordered by a superior or a public authority to perform the act or omission that forms the subject- matter of the charge, nor that the act or omission is alleged to have been justified by exceptional circumstances, including a state of war, a threat of war, internal political instability or any other public emergency.

As the philosophy of statesmen like Winston Churchill has alluded to, it is where the protection of the rights of those most disenfranchised and where the enforcement of laws to protect those rights exist, where one finds the solid foundation of a truly free and democratic society. Let us work together to build a stronger foundation for the future. Please - Let us not accept the insouciance of the authorities of the CSC in their treatment of federally sentenced women in Canada as a standard that Canada may be known by.

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<sup>4</sup> January 11-17, 2003

## Our Lives

*I was transferred to the Prison For Women (P4W), after spending 1 ½ years in a provincial prison. Unlike the vast majority of women prisoners, I had never been in prison before. I was also not one of the 50% who have less than a grade 10 education or of the 40% who are illiterate. I was not one of the native women who make up 25% of the prison population even though they represent only 2% of the general population. I was also not part of the 65% who are single mothers or the 80% who have been victims of sexual or physical abuse. In short, I soon discovered that I was actually part of a small minority of women with a relatively privileged background. I came to prison from a working class family who were in my experience, well adjusted and happy. I had completed 2 ½ years of a university education and had no addictions or emotional problems to speak of. I also came to prison with a strong political identity and purpose, which had landed me a federal prison sentence for politically, motivated actions.*

Everyone in my family is suffering, but we're never responsible, no, never us – somebody else did something horrible, okay, but never us. If anything ever gets said, about what went on between us, it's a slip of the lip when we're drinking, and sure, that can turn into a drunken argument or a fight, no-holds-barred, and maybe even Mom will get pulled into it, if things are yelled and repeated. But we're all partly drunk when it happens, and then we part ways for a while, and a long time later we'll slowly drift together again, but if we do, it means we never speak about what happened, never. Pretend we don't know, never admit anything, never look into anyone's eyes more than a second – nothing happened. We just can't pull it together to try to talk, about anything. My family has stayed together as much as it has by denial, shame, fear...all the other good stuff like that....Don't talk, just play the duck.

My basic problem was the way I was born; in the centre of my face, where my nose, top lip, gums, and roof of my mouth should have been, there was only folded tissue that left a gap in my upper mouth...Even if I could, I don't want to remember all the endless operations I've had on my face from birth. ... And so, as I grew, my mom could not understand me...I've felt the sting of her frustrations all my life, and I admit it was hard for her...It was like being deaf but still hearing, speaking but speechless – it was there, heaping up inside me. I could not ask questions, just puzzle everything around inside my head, dreaming it, bouncing it back and forth, without any guidance to help me understand. So I learned by instinct, by watching to see and recognize what others don't, to judge myself by taking chances. My mind was my best, really my only, companion. But I think that then, on a deeper level, my spirit already knew and understood how much I was being hurt. The impact of countless incidents of incest, rape and beatings I wore in silence, and shed in tears.

*I started using drugs regularly when I was 12. Drugs and alcohol are expensive and when I reached the point of constant usage I was unable to make decisions that would result in anything other than an illegal lifestyle. I'm 53 now and still use from time to time and that brings me back to prison.*

I married a man who was much older than me, and was very abusive towards me...yet, I didn't feel that I deserved better...I don't have many memories of my childhood...mostly bad ones. A lot of bad ones...sexual abuse, gang rape, watching a little boy get hacked to death, prostitution at the age of 14 or 15...I started drinking at a tender age, and decided, as a child, that I liked how it

made me feel. I could be someone else with alcohol. I was only a child of about 9 or 10 years old when I became noticeably addicted to alcohol. My mother tried her best, yet could not deal with what was happening to me, she didn't know of the child abuse that had happened to me.

I never did like school, for me it was a bad experience...all of it. I remember getting the strap on the butt in grade 3 [a lot!]...by the principal...that hurt. But I must of deserved it. I just couldn't cope well. Or at least that's what I've been told...but, in truth, I coped by believing that 'all of this' happened for a reason – it was the only thing that kept me alive –to find the reason. I've been in and out of different types of therapy all of my life. Have traveled my share of hostels, slept under many a park bench, tree...prostituted myself for someplace warm for the night.

I remember finding comfort in small spaces...small like a dust ball, or a spider, they can't see me when I'm that small...I remember when they came into my room at nights and did things to me, and made me feel dirty, and bad...I was bad. I tried slashing when I was a kid, but didn't like it, so I used to carve into my skin with a razor. When I showered I ran the water as hot as I could and used a scrub brush to wash the dirt and scum from my body. I could see it coming out of every pore and it disgusted me. When I was really young, maybe about 12 or 13 years old, I used to peel the layers of skin off the bottoms of my feet until I cried with every step. I did this because I needed to feel something. And, when I was younger still, I would shove wads of toilet paper inside my vagina, because I hated my body.

Then when I was 17 I was brutally raped and mutilated...the rapist bit a chunk out of my vagina...while I had a bowie knife at my throat. This was someone that I knew. I spent a full day in the emergency ward...waiting to see a doctor. By that time my jeans were stuck to the inside of my thighs by dried-up blood...and I screamed as they stitched me up. In those days, there was no rape shield law...but rape was still called rape...I had 24 hours to press charges...from the time that it happened. The cops said that I should, because he'd done it before...you know, removed nipples, taken chunks out of women and girls. So I decided to charge him...that was hard. It was hard enough for my family to deal with me 'killing myself' with my current lifestyle...and it was hard for them to come into the courtroom, to support me...that was hard. My brother showed up a couple of times I think - it was so long ago now.

They put me on the stand...and I was persecuted for being a slut. His lawyer stressed that because I was so obviously a slut, I asked for it - his client was well within his rights to mutilate me, rape me, torture me...But, hey, his father had the coin so he walked away – time served –one day in jail. One year later he did it to two young girls – and then he ran away...after the courts let him go of course.

I don't remember much after that...went into detox, had the DT's, the psychiatric ward, a halfway house of sorts...and then I was gone. In the psychiatric ward, I was on all sorts of medication: antidepressants, uppers, tranquilizers [3 each night...because I would wake up screaming in terror in the middle of the night]. I was more of a mess than when I went in. The pills allowed me not to feel anything -something I both wanted and didn't want. I saw the psychiatrist once a week. He did nothing for me. Went to the local AA meetings, I was their "token drunk" because of my age. So, I would be 'paraded' in front of the group, to 'tell my story'. But I was in no way ready to admit to myself that I had problems...It was too late -or so I had thought. Because I so wanted to do the right thing at that point in my life, I grasped at the hands that were held out to me to "do the right thing," by charging this guy and taking him to court and making him accountable for his actions. And I believed in the system [at that point], and was all but crucified on that stand- in that courtroom, where my sexual 'deviances' were put on trial, and not the rapist/mutilator.

I believe that that was when “I died at 17”. Whatever was left inside of me, was gone. I couldn’t bring it back, didn’t know how...didn’t want to. Wanted to shove it down so deep that it could not breathe...suffocate it...kill it...and so, I did, killing a part of myself in the process. I never quite got over that one. My life was a blur after that...hell, it was a blur before that...it just got worse at 17. Starting stripping at 17...’easy’ money. But there’s nothing easy about prostitution...don’t let anyone tell you different. Did that for a couple of years, it fed into my run away lifestyle...and it fed an alcohol habit...it’s hard to get up on the stage without being drunk all the time. So that became a problem...I used to have to go ‘home’ to my mother’s house, and dry out...just long enough for me to get up and gogogogo, again...and, then it happened...I just could not do it anymore, it had caught up to me. And I didn’t know how to stop it...I couldn’t dance anymore...had no skills...no education...very little support...no real support...I needed money to help me pay for the rent, and had no where to turn...so, I turned to my step father.

He knew that I was messed up...how could he not? I was a walking statistic...a “ballistic statistic”. I asked him for a loan...not much just a couple hundred, to help for the month. He wouldn’t do it...he laid the offer on the table of having sex with me for the money...I was disgusted, I turned him down flat, walked away...hustled...but went back and agreed to the offer. The offer became less money, while the service became more.

He brought back all of those old and not so old coping skills, of disappearing into a crack in the wall while he ----’d me. I was lifeless...there was no movement...yet he loved it, he loved ----ing a motionless corpse...and his step daughter, both at one time... So there I was, 19 years old, messed up...really messed up. What the hell was my purpose on this earth, if all I saw was decay, and death, and abuse...? What the hell happened anyway? Things were going okay...I thought they were, weren’t they? My step father/”trick” died at my hands. How is it that someone actually takes a life? To what point do people have to get to...? I didn’t mean to, but how do I say to his daughter and his granddaughter...”it was a mistake”...

As a child I silently suffered psychological and sexual abuse. I was addicted to drugs for 25 years. During that time, the only way I could find to pay for the drugs I needed were through illegal activities. Looking back, I believe that had I received non-judgmental support and counseling that helped me to find my way into a structure that was within social norms, that I would not have looked to drugs as a way to escape the pain and misery that was my life. I’ve been clean and sober now for 8 years and intend to remain that way forever.

Growing up I believed that I was very ugly because my mother told me that over and over again. It seemed strange that she could be such a racist against her own kids when she had married my Chinese father. Perhaps her own childhood that was mainly secretive was fraught with abuse since she was in a convent at the age of 8. She drank for as long as I can remember. Even when I was not yet 5 years old and raped by a stranger at a skating rink I never told anyone, especially my mother. I was so afraid of her and of what I would assuredly be blamed for. When I was 18, 19, 27 and 28, I never told anyone about those rapes either.

School was an escape for me. It was also easy since I was born with the gift of intelligence that I believed also obligated me to help others that were not given this gift. Motherhood at 17 and divorced by 19 with no higher education ensured that simple sustenance through hard work was an early path. I needed to support my son and myself. Working harder than many others was a

necessary component in order to successfully overcome the obstacles of racism and sexism still predominant in the 60's. Praise and remuneration for achievements bolstered my empty identity.

It was only through intense sessions with a highly respected and learned professional along with constant feedback from family and friends after 5 years of imprisonment did I realize that my 'workaholic' lifestyle was simply my way and a socially acceptable way of coping. By pushing the memories of so many incidents of physical, emotional and sexual assaults to the background I never had to face the fears that they engendered. The sudden death of my father, who I loved so dearly, stripped away my hidden reasons for striving and the masked depression that followed could no longer contain the fears, the shame and the pain hidden for over 40 years. It all erupted in a violent outburst of horrific proportion leaving my stepmother dead at my hands.

The elements in my life that contributed to my breakdown and subsequent killing of another person are interconnected like dominoes.

*At 12 years of age I was considered incorrigible and ended up in the Willingdon Detention Centre for girls. During those 3 ½ years I started using heroin and I've been addicted ever since. Feeding my habit was only possible by involvement in unlawful activities that eventually sent me to prison for long periods of time. That only made me more angry and addicted. I'm over 50 now and on the methadone program.*

I was raised in traditional ways until I was six years old when I was removed to a church foster home. My parents insisted that my siblings and I spoke English. They believed that we would be better off in a church foster home, not persecuted and abused as they were in residential schools. We were no longer permitted to listen to our elders speak or attend any traditional ceremonies for fear we would return to the 'old ways.' They wanted us to become "better white Indians." I was in different foster homes for about 13 years.

I left and went to live with people of the Cree nation in the mountains. They introduced me to the Sundance healing ceremonies. In 1976 when 8 months pregnant I was imprisoned for looking suspicious and then questioned by police. They wanted a report of who was involved with the Leonard Peltier defence and the American Indian Movement group in Canada. I had no information I could give them and after 5 days they released me. For 3 years as a youth I traveled with pipe carriers from the Sundance grounds to bring the sacred teachings of healing inside the walls to men held in US penitentiaries. In 1979 I also participated in coast and plains indigenous ceremonies inside Okalla. Caucasian friends joined me in bringing cedar, willows, and lava into the prisons for healing ceremonies.

In 1980 I was imprisoned for questioning with regard to a friends' shoplifting. During this 5-day period I was forced to give urine samples every day at 7 AM & at 7 PM. I was given some kind of white pill that I spat out after the guards left. I was not permitted any telephone calls or visits from family or legal counsel. Only the Salvation Army worker was permitted to see me. Since I had no information I was finally released.

I've been involved in spiritual caravans from South Dakota to the Vancouver Habitat World Indigenous Assembly, activities of the Native Education Centre, Spiritual Runs from 1978 until 1991, traveled with the Pines caravan, the Council of the Cree and Lilwat

youth groups to share prayers and songs of peace. I've continued to assemble with others to pay tribute to the seven Chiefs hanged in North Battleford, Sask. in the early 1930s, to those hanged in other prisons and to those who died from fasting in order to achieve their Aboriginal rights to practice their own Spirituality and to participate in their own traditional life skills such as carving.

My eldest daughter has been abused by both the mental health system and the prison system. With an unchallenged diagnosis of schizophrenia, she was lobotomized without her understanding of what was to happen and/or my consent. For ten years she was injected with large portions of drugs that caused her to suffer seizures. She was used as a guinea pig. During the few times that she was out of the provincial mental hospitals and/or prisons, she suffered countless rapes and beatings due to her helplessness and the province's unwillingness to help her family help her. A mother herself at only 14, she has been victimized and abandoned. While in Riverview the guards paid for an abortion from a pregnancy that I believe occurred when she was raped in that facility. I was thrown the said-to-be 5-mos.old fetus in a paper bag. We buried him on the reserve lands of my mother. Child and Family Services have added to both her confusion and mine while removing her from my care under threats that if she did not voluntarily leave, that her siblings and her son would be also removed. I was even prevented from visiting her when she was imprisoned.

And it is from these and my lifelong experiences that I know that I am more than qualified to comment on the most important needs of each individual imprisoned Aboriginal woman. If her needs are met it will increase her chances of successfully returning to us where she can remain as a contributing member of our communities. We want and need our Aboriginal women returned to us for the future of our children, our culture and our society. Who better to teach the young and prevent them from repeating mistakes made by others, than those who have fallen and left, risen and returned due to the many strengths of traditional knowledge and spirituality.

*I don't want to be around a lot of men. I went through a lot of personal bullshit when I was young that I don't want to talk about. I didn't finish school and was on my own as a young kid. I lived by my wits. I used drugs and alcohol that eventually got me into prison.*

I am currently the co-coordinator for four non-profit societies: Joint Effort, A Women in Prison Support Group, the Prisoners' Justice Day Committee and Books To Prisoners.

As one of the founding members of the Native Prisoner Support Group I started doing prisoner support/advocacy in 1981 with Federally Sentenced First Nations Men around the issue of Native Spirituality inside Canadian prisons. I have spent the past twenty-one years with prisoners across Canada both as a personal visitor and as a Volunteer for various Native Brotherhood Groups, the Native Studies Program, the Simon Fraser Academic Program and Joint Effort at the following prisons; Okalla, Matsqui, Kent, Elbow Lake, William Head, Burnaby Correctional Centre for Women, Vancouver Pre Trial, Surrey Pre Trial, Edmonton Maximum, Edmonton Pre Trial, Brandon Correctional Centre, Headingley Jail, and Dorchester Penitentiary.

I have personally corresponded with prisoners from Archambault, Bowden, Collins Bay, Drumheller, Ferndale, Joyceville, Laval, Mountain, Mission, Pê Sakastêw, and Kingston's Prison

for Women, Pacific Regional Health Centre, Special Handling Unit, Saskatchewan Penitentiary and Stony Mountain. Through the Prisoners' Justice Day Committee and the Books to Prisoners Program I have received written correspondence from prisoners in every other prison and just about every other jail in the country.

Over the years I have advocated for prisoners fighting involuntary transfer as well as those seeking transfers to another region including Canadians doing time in foreign jails. I have written letters of support for prisoners coming up for parole and for their Fifteen-Year Review. I have helped families and friends of prisoners advocate on behalf of those they love and care about.

*I've served 14 years inside the walls. I was through 2 riots in 2 different penitentiaries, been involuntarily transferred, worked my way through to release and have been out for over 14 years. I continue to work with disadvantaged people of all ages and from all walks in life. I know what doing time is about. I know what people inside need. I know what it takes to make it outside. I was shocked to hear about how little the women have inside and about how little they have once they are released.*

No element can be considered in isolation from its context.  
The only way of determining how individual parts of a whole work is to understand the nature and process of the whole itself. – Unknown

Of the 385 women, there are 360 women incarcerated in federally operated penitentiaries while 25 women serve their federal sentences in the Burnaby Correctional Centre for Women (BCCW) in BC. BCCW is a high security facility with “the most up-to-date, computerized security system”<sup>5</sup>. The operation of this facility is reminiscent of the worst of colonial-minded control and repression. It boasts 114 closed custody beds and 28 beds in the Open Living Unit (OLU). As of December 2002, there were few FSW in the OLU.

Federally sentenced women (FSW) are trapped in a bureaucratic nightmare while incarcerated in BCCW and exist under abysmal cross-regulatory conditions. However it is only those FSW who have experienced imprisonment under federal jurisdiction that know the differences in the regulations and the treatment between the BC provincial and the federal jurisdictions. Knowing the differences, however, does not translate to being availed of the protections under the CCRA due to the Exchange of Services Agreement (ESA), itself in particular s 4 a)b) -least restrictive imprisonment and -rights and privileges, s.71 – reasonable contact, s.73 -peaceful association, s.74 -contribution to decisions, s.76 -programs for successful reintegration, s.77 a)b) -programs specific to women and -consultation with women’s and peer groups. It is only via class action that this group of women who are severely disadvantaged and discriminated against can achieve any semblance of fair and equitable treatment.

Though the BCCW is scheduled to close, no consultation has been offered to FSW with regard to the decisions of what will happen to FSW now housed in BCCW. It is not only the prisoners, but also their families and friends who have the right to know what will happen in the near future. We fear that in the interim period that things may become even worse since BCCW may likely stall all progress that any FSW might make towards release. They may justify to themselves that since they will soon have no responsibility in that area - why expend any work hours and/or other resources on behalf of that sector of prisoners?

It is abundantly clear that the Sumas Correctional Centre along with new construction appearing in the Regional Treatment Centre for Men in Abbotsford, BC are now being readied for the women in BCCW. Now, more than ever, we need a strong ruling by the Canadian Human Rights Commission that will initiate immediate, open, clear and honest, full disclosure of information with regard to FSW in BCCW as well as an invitation by the CSC to consult with FSW and their peers in the community as per CCRA s.76 and s.77 a) and b)

**76.** The Service shall provide a range of programs designed to address the needs of offenders and contribute to their successful reintegration into the community.

**77.** Without limiting the generality of section 76, the Service shall (a) provide programs designed particularly to address the needs of female offenders; and (b) consult regularly about programs

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<sup>5</sup> Burnaby Now. 1989

for female offenders with (i) appropriate women's groups, and (ii) other appropriate persons and groups with expertise on, and experience in working with, female offenders.

It is however, equally important that the Canadian Human Rights Commission issue a finding of discrimination against the CSC due to their negligence in the treatment of FSW in the BCCW since its opening November, 1990 until the date it will cease to be the place of incarceration for FSW in BC. This is required no matter what the expressed and/or unexpressed intentions of the CSC appear and/or are stated to be with regard to the plight of FSW now in custody in BCCW. To do less would be to ignore the abuses of human rights that these women have been subjected to for now over 12 years.

In order to determine the areas of discrimination, the members of the Commission must visit all areas of the minimum, medium, maximum and multi-level security prisons for men in BC.

The areas of discriminatory treatment at BCCW specifically cover:

Poorer Quality of And/or Access to

### **Private Family Visiting**

1. In BCCW shutting down access to this unit to everyone entirely if any particular incident occurs within this unit penalizes all prisoners. All FSM and their families are never punished due to any disciplinary infraction of one FSM.
2. Access to the unit in BCCW is located along a dim corridor above staff offices. The Unit is an apartment, not separately located from the prison. The apartment is not in any way equal to the facilities available to FSM who have separate houses on grounds separated from the penitentiary with outdoor access i.e. directly from the visitors gate.
3. Children participating in PFVs in BCCW must play in a windowless, concrete basement room separated only by a glass partition from the general visiting area. Toys available are shared between this PFV basement area and the general visiting area. Children of FSM participating in PFVs have outdoor play sets such as swings with grassy yards for each house.
4. Special food ordering is not available to FSW in BCCW while it is available to FSM and their families.
5. 5. Lesbian partners are prohibited from inclusion in BCCW (**AND FOR ALL FSW**) while gay partners are acceptable for FSM.
6. FSW enjoy less privacy than do FSM i.e.: intrusive counts, staff access
7. Provincially sentenced women are also able to utilize this apartment for PFVs. This creates unfair restrictions of its use by FSW and also creates an environment of unhealthy feelings of unfairness.

Since most every area involved in the existence of FSW within any provincially operated prison and/or penitentiary is both of poorer quality and/or instruction and/or security classification restrictions via access to/ and/or hours of operation, we shall list simply the areas rather than employ reams of paper to individualize each charge of discrimination as follows:

**Regular Visiting Area**

No refreshments for visitors and/or prisoners; drab gray, stark furnishings in room with no windows to outside; few children's toys;  
No outside visiting areas i.e. tables/chairs on grassy and/or planted area when weather permits;  
No bus service/public transportation to the prison;  
Shorter visiting time -one hour visits Monday to Friday evenings and weekend days versus 3 hours visits for men Monday to Friday evenings and weekend days

**Social Events and Groups, both Cultural and Activity Interest**

Lesser availability and/or group sponsored; shorter hours; no/little effort by contracted workers to introduce new activities

**Cells, Conditions & Furnishings**

Smaller cells; less furnishings; fewer permitted possessions e.g. hobby craft tools; no personal radios/ music - "piped in" at BCCW, no musical instruments, no plants; no smoking in own cell

**Socialization**

No visits, comradeship with other prisoners in cells therefore cannot study together in cells, read, discuss, share hobby craft

**Security**

No advice when items seized in cell searches; no difference between maximum and medium security surveillance; many locked barriers between activity areas and cells

**Clothing Allowance**

No issue of clothing comparable to that in the federal system

**Purchasing**

No special food orders; little ability to order from other stores for other items

**Association, Recreation, Socialization**

No central dining room; no socialization abilities with others in peer group i.e. long term FSW; restrictions on Lifers' Group i.e. must include those serving 5 years; no choice of full gym and/or yard use at the same time; yard has restricted area for provincial vs. federal women; no use at same time as minimum security FSW i.e. no contact with OLU women; No bicycles, etc, instead girls roller skates; no tennis, racquetball or golf; no sun tanning area; Outside groups are severely curtailed at different times i.e.: Joint Effort

**Hobby craft, Library**

No access to hobby shop for recreational use, restricted to 'ceramics' production for those few who have 'jobs' there. Particularly poor Library resource and location near staff offices.

## **Case Management**

Little contact with; poorer management e.g. parole paper preparation, hearings, etc.; poor liaison with community; no penitentiary plan; no receipt of “official” documents such as parole/pass applications so no ability to follow up on delays, paperwork can get ‘lost’ too easily

## **Health Care**

Poorer quality; less confidentiality; poor access to dentist; no access to pain relief following surgeries except for Tylenol 3; no offered access to female psychiatrist

## **Nutrition**

No community ability to cook ethnic foods; no vitamin, supplement shopping

## **Programs**

Very poor access and availability of any ‘program’ that might lead to any outside job i.e.: dog program, flower arranging. Most jobs/ programs geared to provincially sentenced, short term prisoners and are severely domestic i.e. tailor shop, beauty parlour, cutting vegetables, gardening, cleaning

In 1991 I received a letter from a lifer recently transferred from Matsqui to the then Elbow Lake Minimum Camp. It is now an exclusive minimum-security facility for Aboriginal men modeled on the healing lodge concept.

The following is a list of items he wrote me about:

March 25, 1991

1. The food is about 100X better. No more greasy meals.
2. Second day here, I was standing in street clothes, no shackles or cuffs in downtown Aggasiz
3. Made mega phone calls collect
4. The scenery is just beautiful
5. I’ve signed up for survival first aid, fire supervision and a couple of other courses to get out on crews and hopefully fire fighting
6. Good place to do time. I wake up at 6 am and feel fully rested
7. Are about 6 lifers here
8. Room is bigger and set up differently
9. Have a built-in desk, and a real closet, another small desk and ordered 2 wood stands and shelves made for me for my computer
10. The bed is so big it would sleep 2 comfortably
11. I live on the highest part of the camp and have a beautiful view from my window
12. Real curtains are standard issue
13. The staff treats you like a human. My first day I was called sir. I was told by one that we like respect so we show respect and expect the same in return
14. Anyone can come and visit 7 days a week. Weekdays from 5 – 10 PM; weekends & holidays 10 AM-10PM. Your visitors can even bring their pets if on a leash.

15. We have a huge fireplace where we can go & bar-b-q
16. You're allowed to have your wallet and ID and have \$40 in your possession at any time
17. You can walk around all night as long as you go to work.
18. I took a landscaping job for the time being
19. You can have any item in your possession up to \$1,000 deductible
20. You need to have receipts for any money you spend.

These conditions are Not comparable to the conditions that FSW exist under in the OLU –“minimum” security at BCCW.

How do conditions for other minimum security classified FSW in Canada, compare, today? 13 women in the only minimum – Isabel McNeill House in Kingston share rooms. They have few opportunities to go to outside programs like AA and/or to church due to the escorts that are required for FSW. The ‘study area’ is also the area where the sewing machine and any other computer equipment is available – cramped and in a basement room.

### ***CASE STUDY***

The most scathing discrimination against FSW is epitomized by the treatment of one such woman re-imprisoned due to an accusation levied against her by another FSW while in a halfway house. This “incident” was self reported, discussed in a house meeting and thought to be resolved. Instead, her CSC parole officer suspended her parole, the National Parole Board (NPB) then revoked her parole and she was returned to prison in 2001. She had committed no new crime.

She followed the NPBs direction without appeal though she knew she had the right to do that. Not until August 2002 did she submit release plans for a possible hearing and was told by her case management officer that they had been faxed to the NPB on Sept. 26, 2002. In December SIS wrote a letter to the NPB on her behalf since she had received no confirmation of any receipt of her papers. In January 2003, we followed it up with another letter. We have recently learned that no papers were ever faxed to the NPB.

The only consistent treatment she has received is the consistent lie told to her by her own case management officer employed by BC Corrections. She has now ‘served’ more than 1 ½ years, cutting vegetables for the meal trays delivered to each unit. As she said, “they don’t really cook here.” She has been refused entrance to the OLU and refused a Private Family Visit with her partner. Her institutional charges are due to the provincial no smoking policy when she was charged for smoking in her own cell (that would not be levied against her under federal custody). She has no recourse with the Correctional Investigator since she can only complain to the BC Ombudsman, an office with no knowledge of regulations and/or conditions governing FSW.

## Our Experiences Inside the Walls

*Largely unknown to the public and virtually ignored by Government, the Prison for Women continues to exist in an outrageously expensive, mind boggling time warp of confusion. It is common to have new arrivals seriously wonder if they have been institutionalized in a mental hospital by mistake and equally common to hear statements such as “I feel like I am on a different planet” or “I feel like Alice after she fell down the rabbit’s arse hole.”*

*The confusion of prisoners is well matched by that of visiting officials. Somewhere along the path of historic non-development, a stereotypical compensation was offered to female offenders to fill vast discrepancies within a larger male system. By the questionable virtue of these compensations, women are allowed to wear civvies and to purchase cosmetics. The result is a hundred perky-looking women awash in cheek blush and eye shadow, going nowhere. However, to the casual eye on the quick tour, we do look fine and immeasurably more presentable than our male counterparts in basic green.*

*Given our society’s priorities on appearances, it is not too difficult to understand how hard it has been to get any senior administrators to look beneath these superficial trappings to the far deeper problems and confusions that lurk below. However these have become so blatantly obvious to many of us inside, and I, along with other sisters, feel it is past time to break through the deplorable compounded confusion that has surrounded women imprisoned in this country.<sup>6</sup>*

(In memory of a great writer, humorist and woman, our friend and SISter, Jo-Ann Mayhew who has assuredly contributed greatly in the efforts to better the outlook for FSW)

The things that helped me survive inside were being able to work out in the gym and the weight room. This always made me feel good about myself. The only thing was there wasn’t enough hours/ access to the gym. Also I felt safer being around lots of women...they made me feel like I wasn’t alone in the shit I was going through.

The real bad things were the unnecessary harassment and force by cops and guards, the experience of seeing people slash, hang and mopping up blood and lying around with nothing to do when I wanted to go to the gym. I didn’t get any counseling for drugs and alcohol, for trying to figure out why I ended up in prison and how to not go back. I needed life skills to learn how to pay bills and budget and about parenting.

I learned how to do woodwork when I was in prison which helped me get a job when I got out.... prison did prevent me from access to drugs and booze which probably is the reason I did not die from an overdose by now.... Being imprisoned did give me the space to sort my own head out.

<sup>6</sup> Mayhew, Jo-Ann. (1988) “Corrections is a Male Enterprise.” Journal of Prisoners on Prisons. 1(1):11-21

*I served some time in provincial prisons and nearly 12 years in federal custody. This long time inside the walls was very damaging both from the horrible things that happened to the other women and the abusive treatment that I received, from the lies written about me and the (so-called) promises that were never kept. Though prison guards will say that they can never trust prisoners, it seems to me that the promises of most prisoners were kept more often than those by any employee of the CSC.*

*While incarcerated there were only 2 “substance-abuse” programs offered and both were not helpful to me though I had voluntarily attended them in hopes that they could help me. The AA program was simply too generalized, geared more to an older, establishment-type of person. The other was so narrow in structure that it was just like another jail of the mind – telling you what to think and when to think it, telling you that what you think is not important and not valuable. It made worse my own feelings of helplessness and worthlessness.*

*What really could have helped me inside the walls was a therapist to help me deal with sexual abuse, with the feelings of self loathing and uselessness that made me hate myself for so long. I believe that in order to stop using drugs or alcohol, that the person first needs to heal from whatever damage has been done to them.*

*That requires a very professional, knowledgeable and compassionate person – not someone I would expect to be dressed in a guard’s uniform. But instead of help to heal and to not need drugs to escape - what resulted from all of those years inside was just more damage. The suicides of women who had become like sisters to me, the slashings and mutilations that women did to themselves just because they had no other way to get rid of the confusion and the pain that they had and the horrible way that these women and myself were punished by the system with long periods of segregation and all of the abuses that happen there, well, I am still getting over that.*

*There was a psychologist, however I only had a few minutes every few weeks with the person. By the time I went back we would only have time to recount what was said before so that again I found the process only added to my frustrations. The other psychologist was a man who thought he could hypnotize me. That was even more of a joke.*

*Another useless “program” was the violent behaviour therapy where the memories that we were asked to recall just increased our anger. Many ended up kicking in the doors because there was no place or person to help us work through our anger. The session would just end and we were expected to return to our “jobs” or our cages and carry on like nothing was bothering us. I think punching bags would have been 100 times more effective than that useless program.*

*I believe that all of these programs actually made me worse. There was no respect or value given to me as a person, as a person trying to find help for her problems. I was not even given the respect of being provided Francophone material that perhaps might have given me a better understanding of these ‘programs.’*

Raised in a middle class environment with pro-social work and educational attitudes, I was a 42-year-old woman when I entered prison. No one in my family nor circle of friends and colleagues had criminal backgrounds or acquaintances. I was therefore, an uninitiated element. Prior to my guilty plea on second degree murder, I had thought as perhaps many do with a history of hard work behind them - I believed that those incarcerated had broken the law and deserved to be imprisoned and further that when released from prison that the person would be better prepared to re-enter society since they would have received the necessary educational and vocational training along with the counseling needed to do so.

My fallacious reasoning was alarmingly made clear upon my first step into the underworld of prisons where strip searching is utilized along with other degrading tactics designed to strip the prisoner of personal dignity and therefore, personal worth.

At P4W most staff treated us as if we were less than human. One never seemed to see the few staff that seemed decent. We learned which guards worked under each keeper and also knew that when certain ones were on shift that disciplinary charges for the most trivial of matters *would be* levied. Each keeper decided her own quota of charges she wanted written (to insure that her staff were being vigilant enough- not getting too soft). We would warn each other as shifts changed, to be more careful. Anything from having a cardboard box under one's bed to "fishing" a piece of bread to someone during a lockdown, would bring charges of "doing anything to prejudice the good order of the institution." These convictions resulted in dual penalties of fines and/or segregation and/or loss of "privileges" such as private family visits. These penalties also resulted in the increased poverty of the women who then had no job or money to buy cigarettes or other necessities. Many of those with jobs would try to help out the others resulting in more hardships. Help from the outside was far away.

At P4W few women had regular visits since most everyone's family were a long distance from the prison and were impoverished so that travel was too expensive. At that time we were permitted only 1 or 2 calls a month, each for 10 minutes. (Men in Mission BC could have 100 minutes a month) One needed to make these from the chapel where the minister would dial the number and then sit opposite you while you spoke. Since those calls were collect, once more, families of many women simply could not pay for them. The only thing that really helped us all was the Native Sisterhood Group. But access to this could be denied and the damaging of prayer bundles during cell searches was a disgusting way for staff to insure that many Aboriginal women would end up in segregation after "flipping out." Every time there was only one or two women in segregation, there would be cell searches that would result in more charges and segregation, filling it up again.

The alienation from family and friends and the constant "mind games" that staff played contributed to the overwhelming feelings of helplessness and isolation

and when told that they could keep you in segregation for as long as they wanted to, one tended to believe it. Many women slashed in despair and those of us who didn't use this method to release tension tried to hide them from security who would drag them off to segregation, the blood trailing behind them down the many steps and through the corridors. I helped to file a group grievance to simply obtain the ability for the woman to be first seen by the nurse before being segregated.

One incident saw the Aboriginal woman slash her throat with a glass that she had broken. She was forced to walk the tunnel to segregation but passed out so that guards finally had to carry her on a stretcher up 2 flights of stairs. Though we knew she was seriously injured, instead of going to the hospital they went in the opposite direction past the darkened "B" range of locked women- towards the segregation area. The women heard her desperate yells between the gurgling sounds of blood rushing into her lungs and watched in horror as the guards laid her on the floor in order to find their keys to segregation. One guard held her legs while another pinned her arms above her head as she struggled to move. Their main concerns were stopping the blood from splattering their uniforms.

It took the nurse over 10 minutes to walk into seg to treat her. Of course she was too badly wounded and they then stretched her back in front of the locked women, towards the hospital. All through that night we heard the rushing of guards back and forth. We heard the ambulance come and watched in the dark, through our bars, through the high-ceilinged windows; waited while we assumed they worked on her in the ambulance - parked in the yard for over an hour. When they took her to hospital we didn't know what condition she was in. We were told nothing. The next day we learned the ambulance had brought her back to segregation - stitched up and bandaged. I visited her that day in segregation where she was still in crisis. Ten days later, still in segregation, still in enormous pain, she was finally returned to the hospital where they found broken glass lodged in her throat. This time she was returned to her cage.

To this day I am amazed that she lived and wonder where she is now. There were so many slashings and so much violence done to women in segregation where few could see or hear it all, so much cruelty imposed on young women who were totally emotionally and/or educationally unaware or unprepared to deal with what was going on. The Aboriginal women in particular seemed to need much more release in the way of recreation in order to maintain a quiet existence. But, as another contributor has said, most of these women come to prison already so damaged, that it is not reasonable to expect that they will cope well with the additional mental, physical and emotional beatings that are meted out in prison.

When imprisoned a woman is not only expected to revert to the behaviours and thought processes of a child, to be led by the hair for punishment, to be returned to the dark ages when women had no rights at all, where women were

someone's property to be used and abused as their owners saw fit, to be taught only the 'domestic' abilities and manners sufficient to do accordingly to the wishes of others, to accept silence and violence as their "lot in life," but to be thankful for "three squares" and a warm place to sleep. The grievance system was and has become, even more-so, a total sham with unwritten threats levied against women should they write out a complaint. For those that do the results are only a backlog of unresolved grievances in the hands of the Correctional Investigator.

There were only a few "programs" that could actually help to prepare a woman at P4W, but the access to them was so limited that only a very few could benefit. Not only were there few programs or training that most prisoners could have access to, but when anyone wanted to help another prisoner, prison authorities discouraged it (and still do.) I was told to "do your own time." However, as a woman who regained her 'right mind,' in time to begin a life sentence, I decided to help other women if I could. 3,000 miles from my family and friends, I only lasted there 2 ½ years. The attempts I made seemed unsuccessful except to have the hot water turned on in our cells.

Even the interventions of MP, Svend Robinson, who had saved many women's lives, seemed unable to change the course of events unfolding at P4W. In absolute despair, Marlene Moore choked herself to death on Dec.3, 1988. The events that followed were equally devastating.

Depression, despair and the constant worries over my husband's health compounded my belief that I could no longer exist in the insanity that was P4W. The six denials by the province of BC to accept my return led me to fast for my transfer. It was only due to the huge amount of family and community support I had gained over three years that I "won" a transfer to BC. My "high profile" meant that the CSC couldn't afford to let me die from starvation.

Though I was in the hospital unit in Matsqui, I still never slept through a night without waking to either a nightmare or the loud clanking of shackles and guard's voices speaking as if it were the middle of the day when they brought a prisoner into the hospital. I never forgot the horrors that I witnessed at P4W -the women being dragged by the hair to segregation, the mace used so excessively that its smell permeated the ranges separated from segregation by concrete corridors, the shrill screams and the helplessness to do anything while locked in a cage. Letters from P4W contained news of yet more suicides –five more while I was at Matsqui –it brought me to my knees.

For the next 4 years while incarcerated in a men's penitentiary I tried to convince other women of the much better conditions that FSM had – the incredible educational and vocational, social and recreational, hobby and library facilities that they had daily access to and the wonderful all-day visits from so many friends and family. Though a few women tried to follow me, the authorities simply

refused to accept their transfer requests. It quickly dissuaded them. The option of legal action was in reality a non-option I knew well from experience. The women were unable to garner enough strength and support to continue. When BCCW opened, the province of BC quickly forgot their 7 previous denials of my attempts to be housed under provincial custody. I assumed they wanted me as a body count so that their share of operating costs would benefit. In Matsqui I was recommended to minimum security in a federal men's penitentiary however the warden in Ferndale refused to accept me on grounds that there were no facilities for women. In 1991, though I lost all of the grievances and appeals on the involuntary transfer notice sending me to BCCW, my brilliant lawyer, John W. Conroy, QC won a temporary injunction restraining the CSC from sending me and interrupting the full university program and other amenities I enjoyed at Matsqui and would have lost had I been involuntarily transferred to BCCW. At the same time we filed an action claiming discrimination by the CSC.<sup>7</sup>

I still have the notes and diaries I kept as I visited the women in segregation while on the P4W Prisoners' Committee. I can account for nearly every incident of violence that occurred there from August 1986 through to Feb. 1989. I still have the hand written notes from women who were assaulted by guards like Ron Ubdagrove and Ross. I can still see the faces of the young women smeared with tears and the eyes filled with terror and the arms, bellies and legs slashed unmercifully by women who were so traumatized that the only release they had was to see their own blood flow from self-inflicted wounds- rivulets of blood covering the walls, the floors, the mattresses. I will never forget it.

*Information from statistics proves that many prisoners have lived in sexually and physically abusive homes, have existed under extreme poverty, have not had an education and are additionally victimized by racism. By the time they end up in prison, the emotional, mental and social adaptations they have made to survive their deprived environments can be seen to be very rational and predictable reactions. The same can be said of an existence as a prisoner.*

*People often have the mistaken assumption that it is the prisoners who are "broken" and so the solution is to "fix" them and then there will no longer be a need for prisons. However, in reality, the values and relationships that compose the prison subculture are the most rational and reasonable responses a person can utilize in order to survive within these CSC-determined prison regimes (as they so aptly call them). If society wants the behaviour of prisoners to change, the onus for change lies on the CSC who has all of the power and control over the regimes within which prisoners must survive.*

### ***Help Inside the Walls***

*Coming into prison with middle-class, socialized values, first, I benefited from regular visits throughout my sentence from both family and friends. This contributed to the rather slow deterioration of my political identity which otherwise would have rapidly dissipated*

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<sup>7</sup> Horii vs. CSC et al. For terms of settlement please contact the writer.

*into an exclusive prisoner identity. Visits from the outside world reinforced my worth outside of the prison subculture and provided me with emotional and spiritual support. I felt somewhat connected to the outside world although over time all of the aforementioned became less and less influential in relation to my prison friends and the world we lived within.*

*Without regular visits from friends and family, my only consistent contact with the outside world was through prison staff, as representatives of the outside society. They constantly reminded us that we were powerless, worthless, inferior, and in real danger of losing what little freedom we had at any moment. It was no wonder that prison relationships assumed such significant proportions.*

*Besides visits from family and friends, I was able to “work” in a fully equipped wood shop and industrial sewing machine shop that also contributed to my ability to adjust to life after prison. The wood shop gave me a place to go everyday to escape the stresses of life on the prison range, a place where I could use my creativity and learn a job skill. Over a 5-year period I became proficient enough at woodworking to qualify for a placement at a CSC funded wood shop, the Freedom Farm via a pass program. As a minimum-security prisoner I worked at the John Howard Society of Kingston’s wood shop.*

*Another program in P4W that contributed to my “successes” on the street was the Automatic Data Processing (ADP) department. In the mid 80’s, computers were just beginning to get a big toehold in the workplace. I learned how to use a word processor, a skill useful both in a later partnership business and even later, as a writer.*

*I would also attribute the relatively large prison yard inside the walls of P4W which was able to accommodate a quarter mile track as well as the full-size gym and well-equipped weight room, albeit with extremely limited access to either, to my ability to manage the extreme stress and tension of prison life without any incidents of violence. It is a well documented fact that jogging and weight exercises not only keep people fit, but relieve tension, depression and give a person a sense of well-being. Being able to walk outdoors all year round in the fresh air and see the birds, flowers and a few trees had a more calming effect than any number of psychotropic drugs could have.*

*During the eighties, we were also able to take university correspondence courses and the odd class held within the prison by professors from Queen’s university. I was able to complete 2 degeered courses. Prisoners did not have to pay for these university courses which I think is fair considering that most prisoners have come from such disadvantaged circumstances that the benefits of a free education can translate readily to a rehabilitated person. Many prisoners obtained bachelor’s and master’s degrees, the benefits of which are well documented.*

### **Harm Inside the Walls**

*Despite being a high profile and high security prisoner, I had a relatively easy time of it in prison because I did not enter the regime with an overwhelming load of emotional*

*baggage or handicaps. And yet, when I look back on my experiences, this “easy time of it” still left me with a shattered sense of identity and a deep depression. That led to an addiction that I have only recently overcome, twelve years after my release from P4W.*

*If I had to isolate the negative aspects that most influenced me I would first describe the experience of transformation from a confident, happy, politically identified individual to one of prisoner. What is a prisoner? As I explained earlier, over time a person loses their social identity and adopts the identity of prisoner: someone who is shunned, despised and distrusted by society. This feeling is confirmed from the moment a person enters prison. The staff that are society’s representatives, treat prisoners with distrust, hate, condescension and fear.*

*I remember a time when a parliamentary subcommittee was doing a tour of P4W. The guards told them not to walk on the ranges in case they were taken hostage or subjected to some other violent incident. Svend Robinson, the NDP Justice critic, passed through the electronic barrier onto our range despite their attempts to stop him. As he walked down the range, the guards warned him he would be responsible for anything that happened. Then when this same committee passed by the prisoner’s cafeteria, once again Mr. Robinson snuck away from the others to eat with the prisoners, refusing a direct order to eat in the staff dining room. He is the only non-prisoner I can recall eating with the prisoners in our cafeteria.*

*It is a well-known fact that people develop their sense of identity through their interactions with others. So it doesn’t take long before a prisoner internalizes this negative identity from the outside world, and embraces the more positive identity prisoners allot to one another.*

*The second most profound impact of prison manifested itself in a ten-year battle with an addiction that I have only recently won. I use the verb ‘manifested’ because I believe my drug addiction was the manifestation of both the ongoing existential angst of prison life as well as living within a prison subculture. I had never been addicted to anything nor did I have an addictive personality before going to prison. However in the halfway house I felt more closely identified with my prison friends than I did the political feminists from the community who tried to support me.*

*The bond most prisoners feel with other prisoners, I imagine, is most akin to that experienced by war vets. Like being in a war, the prison experience is so traumatic, unique and intense that only those who have lived through it can understand it. Unfortunately some of my prison friends were addicts. Even though I still believe most of the women in prison are just as bright, interesting and capable as any women on the street, due to their circumstances, many are damaged and drug-addicted. Soon I too, was stupidly using drugs on a regular basis. I am convinced that my attraction to the pain relieving effects of the drugs was directly related to the daily horrors I witnessed in P4W despite the relatively “easy time of it” I personally experienced as I stated earlier.*

*To mention just a couple of examples – I lived on A range for about 5 years. Separating A range from segregation is a plumbing/electrical corridor with vents in each cell that allow loud sounds from segregation to pass easily into the cells. Throughout those years there was ALWAYS at least one woman who was either mentally and/or emotionally handicapped in segregation for one solid year at a time if not more. In society there would be compassion for these women and they would be helped, but in prison, they are isolated and abused.*

*Many nights we would wake up to the sound of a woman screaming or moaning like an animal in a slaughterhouse. This would often go on for hours, if not days. Sometimes I would wonder what was worse, the suffering of these women in segregation or the fact that the women prisoners on the range would learn to sublimate these sounds in order to sleep or carry on their daily routine. This is what I call the existential angst of prison life.*

*While I was working for the prison carpenter, I was asked to build a large Plexiglas screen. One day he asked me to help him carry it to segregation. We carried it down and placed it in front of a cell where a totally naked woman walked about oblivious to us. He told me she was stuffing her food up her vagina to feed some inner demon and was throwing her feces at the guards. Even though I had known this woman to be “normal” on the range, she showed no signs of recognizing me that day. There are many other examples of prison reality being more horrible than fiction but they are too numerous to recount in this personal testimony.*

### **Post Traumatic Stress Syndrome**

I had been sentenced to life imprisonment...no chance of parole for at least 10 years, yet all I remember is this tight noose forming around my neck, choking me, again...I had just turned 21. I was in shock of course; I had always been...how could I not have? It might have seemed to others that there were connections in my brain not being made. But, they were...just not quick enough for most people I guess.

I think it's really important to recognize the shock. It is totally disregarded when one is a prisoner. I was in shock for about 4 years after my crime. At no time did anyone step in to offer their assistance...I was not allowed to be in shock...it quite literally was a concept that was totally UNacceptable in the eyes of the courts...and, of course, the media and eventually, the penitentiary. Even on the stand, I was seen as “cold...emotion-less...a killer...[who]...showed no remorse”. The media ate it up; it sold papers...the bottom line. So...I was not allowed, in the eyes of the media...in the eyes of the law...to be honest, to tell people that this is what I have been through, and while it will never be an ‘excuse...nor a reason’ for taking another’s life...this has been my life, my reality. And all of my life I have been silenced. When I was given the opportunity to speak out against what had happened to me, during my trial, I was silenced yet again...because this trial was not about what brought me to this crime...but about the crime itself.

It took about two years after my sentencing for the shock to wear off, and in that time, I was serving federal time in the Prison For Women, in Kingston. Having never been in the

federal system...or even the provincial system [jail]...I wasn't sure what was what. All I knew is that this was a whole other world from what I was used to. And for the simplest things that I asked for, they blatantly denied me...I was a hot head...or at least that's what they called me. I didn't fight a lot, and didn't get aggressive a lot...yet because I didn't have the skills to cope with these assholes, I would blow up at them, call them names, yell at them...but that's about it.

I remember my first year inside, I was denied something...I don't remember what, it was so stupid...and, yet here I was exploding...and that, I now know, was because there had been NO outlet...up until that point, of my life. I was wrestled to the ground, cuffed, and dragged by the hair on the floor and up the stairs to segregation. My hands still cuffed behind my back, and I was pretty much calmed down at this point...I was thrown onto a bed, face down, with my hands cuffed behind my back, and was taking a beating to my back...fists and knees. His name is Ross...don't know his last name though...

I was paralyzed for 3 days, I laid in my vomit, piss, shit...seizing, because I could not get up to move to get my epileptic meds, and the nurses were not coming into my cell. I filed charges, against the guards...and was taken down from segregation to the security office to sign those papers...everyone was there, all of the same guards that were there when they were beating on me. My hands were still cuffed behind my back, and I was wearing shackles...so, I refused to sign...and have paid for it ever since.

The groups that I attended inside were AA, which was a good meeting, for the most part; and I remember attending the anger management program. This was a joke. A woman gave it with absolutely no experience in the federal system, nor, I believe, with ever having to confront her demons. I think with any program, life experience is key. Especially when dealing with a population of women who's backgrounds are so varied and so messed up

### **Borderline Personality Disorder.**

I won the right to a new trial in 1985. This time I was more in control of my emotions, because I had a lot of time inside to do nothing but think. And the actual option to be heard yet again, allowed me, for the first time in my life, to hope. The second trial went better than the first, under the circumstances. I had been "diagnosed" with Borderline Personality Disorder, by one of the psychiatrists...for the reason, I believe, so that people could know what brought me to that point in my life, where another's life was so devalued. The jury was not a jury of my peers, except in the human aspect. They were scholars, professional alike, and they thought through the whole argument. I am indebted to all of them. The Borderline Personality Disorder was an argument, at the time, and an invitation to understand the paths that I had taken in my life, why I had taken them...and what happened to me along the way. This diagnosis was for the courts, and for no one else. It was not for the Correctional Service of Canada to assume the right of anything but "legal captors". It would not have given them the privilege to hold over me my basic human right to choose which treatment program is best for me, my legal rights to "informed consent."

It is not up to the CSC to punish me further by rationalizing that whatever they want me to do I must do because they think it is best for me - so I am forced to “take their treatment” “for my own good. And that’s what this argument is all about or one of many arguments...for me.

I remember being inside when women started hanging themselves...and remember the screams coming from the ranges, and from the cages in segregation. I remember women who were once strong, powerful, beautiful, mothers, grandmothers, aunties, lovers, and friends...dying. Screaming out for some form of justice within the walls. Just the basic human need to be acknowledged, as having been through a lot of shit in their lives, and receiving nothing but abuse, torture, death, pain.... I remember.

*My Native side sometimes hurt me, ...but it never came close to doing to me what the White side did. I became comfortable with my Native self, so that is where I chose to exist out of. And yes, I am happy being a “dirty Indian.” ...*

*When the law-enforcement system seizes you as a criminal, the world changes. You may never recognize yourself again. ..., if my life can include my kids or if I’ll have to teach myself to let them go. See them once a year on visits, as long as they can come, and let them grow up in the foster home where they are now. I won’t go back to the Parenting Skills class they give here; it’s mostly designed for short-term inmates and just frustrates me to hell.*

*The first thing they take from you here is your motherhood, and by the time you’re brainwashed enough to suit them, you’re not even a woman. You’re washed out, empty clothes walking past.... If no one ever speaks the words that should be spoken, the silence destroys you. ...So prison is no place to recover. From anything, either the grief of memory, or loss, or abuse, or the diseases of addiction.*

*But if you’re a Native and you can get the help to seek and find and claim your spiritual name, a lot can be changed. You can discover your destiny. Your life can bridge back to the origins of your family and people, you can seek out your colours, your clan, your spirit keepers. You may find the self you never knew you were...*

#### ***What I have learned after working with women from prison?***

- Not only do women lack the job skills necessary to gain employment on the street; many issues that led them into prison have not been addressed adequately while they were incarcerated. A positive self-image has not been developed, supported or reinforced during incarceration or upon release.
- Have spent many years inside and have lost contact with family and friends through attrition
- The Canadian prison system was designed by and for men and as such, programs within the system were developed with the focus being in one ‘gender’ direction.

Programs for the relatively small number of women in the system remain an afterthought and have been based on traditional lines in terms of vocational training (floral arranging, cooking, etc). They have only minimal access to educational opportunities.

### ***As Visitors to Prisons and Penitentiaries Across Canada***

#### ***Joint Effort***

*Joint Effort is an independent organization made up of volunteers from the Vancouver women's community whose activities promote equality and empowerment for women. It was founded as a sub-committee of the BC Federation of Women in 1980 to provide an opportunity for women on the outside to meet together with women on the inside around issues of mutual interest. The group began visiting prisoners at the Lakeside Correctional Centre for Women and when that closed continued the volunteer efforts at the Burnaby Correctional Centre for Women (BCCW) which houses both provincially and federally sentenced women along with those on remand.*

#### ***Workshops***

*Although group members have changed over the years our mandate has remained the same - to work together with the women on the inside and women on the outside to provide a basis of community support. We do this by holding workshops at the prison once a week. Whether the focus of the workshop is to develop creative options for stress relief such as through arts & crafts, creative writing and storytelling; or a more physical approach such as a sporting event, weight training or learning massage techniques; or just an evening discussion on current issues and community affairs, all workshops are provided free of charge and are open to any woman wishing to attend.*

#### ***Community***

*For the most part prisoners in this country live in isolation, isolation from their families, from their friends and from their communities. While the very nature of incarceration is to isolate the prisoner from the community the successful reintegration of the ex-prisoner to the community cannot be achieved in isolation from the community to which they are expected to return. In all my years of experience in visiting prisoners I have observed many obstacles that prevent prisoners from having contact with their friends/family and community support.*

#### ***Visitor Transportation***

*The biggest obstacle is the lack of transportation to the prison. None of the Federal prisons I visited had a bus route that would take you there so if you did not have your own vehicle and were unwilling/unable to hitchhike or walk, you are unable to visit.*

#### ***Visitor Housing***

*The other great obstacle to visiting is when a prisoner is housed outside their home community. Many prisoners do not get visits from family due to the costs involved with travel and accommodation away from home. This burden of cost is significant in First*

*Nations families as almost all First Nations prisoners are imprisoned outside of their home communities, not to mention outside their home provinces.*

***Telephone Contact***

*The third obstacle I see to contact with prisoners is the installation of the new phone lines that charge prisoners for all outgoing calls, or bill the recipient collect call charges even on local calls. This phone system has not only limited the prisoner access to their family but to community and legal support as well.*

*(See our proposed remedies Part VI-2)*

***Questions and Answers from 2 FSW imprisoned on parole revocations  
without new charges or convictions of any new crime.***

***What programs/help were you offered inside? Which helped you?***

- Each program had only a small window of help, but if one takes each window perhaps could help a bit.
- I Took everything offered. Guess each helped a bit. My own commitment to see a psych weekly was best since she was exceptional. Also Native Sisterhood Group helped a lot.

***Which programs were useless? Which programs made you worse?***

- ITPFO worst. More harm because “made you feel like shit and then left you like that”;

***What are the greatest wounds you suffered serving a long sentence? How did you “heal” from these wounds?***

- Watching people die around me; having the system almost kill me; seeing horrors perpetrated on others and myself; I still don’t sleep with out waking up at least once a night; crying and screaming memories of P4W; guards coming for me; us hanging in seg, covered in blood
- I will never heal from these wounds.
- Institutionalization
- I haven’t

***What kind of treatment/ programs did you receive when you got out? Did any of these help you?***

- None
- None/ so little as to be non-existent

***How important is peer support?***

- Only as good as the teachers and people involved.
- Not sure. Have no knowledge of what it is since never used it.

***How did you learn to set realistic goals for yourself?***

- Still in the process of learning how to
- From groups/ courses that I finished.

***How close to reality was your original release plan?***

- It wasn't. I was in for so long that I had no idea about how it would be like when I got out. Without finding a partner to support me I'd be dead by now.
- It would have been right on if I didn't continue using

***Do you think that if you had been offered imprisonment in an Aboriginal Healing Lodge that you would have progressed better than you have given your previous incarceration experiences?***

- Yes, I do think it would be better
- Not necessarily, but who knows? I've never been in one.

## 1 Community Resources

The **Talk** of the CSC in their Report on Plans and Priorities (RPP) 2000-2003:

A. *Minister's Message: (The Honourable Lawrence MacAulay, Solicitor General)*

*A vision is needed to create a community-based integrated justice system that incorporates public education, citizen engagement, **community correctional capacity building** and infrastructure development and integrated networks and partnerships.*

***With respect to community corrections**, the current priorities are threefold: the safe and timely reintegration of offenders through gradual release programs and community involvement; the implementation of initiatives to address the reintegration and community development needs of Aboriginal offenders, consistent with the government's commitment to strengthen Aboriginal communities; and the **development of community support program options for women offenders**. (p.2)*

*It is recognized that Canada's incarceration rate is higher than that in Europe and other parts of the world. CSC and its partners need to make concerted, vigilant and innovative efforts to reverse this present reality and strengthen **community-based** interventions at the **earliest stages** possible to combat reliance on incarceration. (p.9)*

- There are no Community Correctional Centres (CCCs) for FSW
- There are 17 CCCs for FSM ( 16 separate, 1 annexed)
- Although there are some beds available to FSW in men's halfway house/residential facilities, most FSW do not feel safe there and/or would not want to have their children in men's facilities
- There are no intensive residential treatment centers for FSW
- There are NO FSW only halfway houses though there are a few beds available in transition houses and halfway houses for provincially sentenced women [see Appendix: 2pp info sheets on Pacific and Prairie regions as example]

" With respect to the prison population, the four determinants of size are crime rate, incarceration rate, sentence length and release policies and practices"(RPP p.9)

In the year ended April 29, 2001, 12,430 men and 385 women were serving federal sentences in Canadian penitentiaries. Yet, *admissions* for the year 2000-2001 show that over 5% were women versus the 2001 incarcerated rate of 3% - a figure which speaks to the alarming increase in the incarceration rate of women in Canada.

Without **community resources** that begin with community correctional centers to depressurize and resocialize people who have been alienated from society, without community housing, residential treatment centers, continuing education and training, follow-up and maintenance programs, drop-in centers and peer supporters, family and legal assistance, without halfway houses that will accept FSW for up to three years, FSW

cannot achieve the earliest date of release and most have few opportunities for successful reintegration.

**Housing Options for Women Getting Out of Prison:**

Since women are seen as a low risk to re-offend and would benefit from resources developed to assist them in the day to day challenges of basic survival, every attempt should be made to return women to their communities in the most supportive/least restrictive manner possible. Studies show that women who have stable housing for themselves and their children are more likely to gain independence, economic freedom and self-esteem. As alternatives to building and staffing more halfway houses for women, safe, affordable, long term housing in the community can be considered.

**Day Parole to Home or Community:**

Women who have support from their families/communities should have the opportunity to be paroled to their family home or the private home of a community sponsor rather than a halfway house. For women who are overcoming barriers to independent living, existing or newly established housing options that provide resources to address their specific needs and issues should be available in the community. For example Transition Houses can be utilized or funded for survivors of domestic/sexual abuse, Recovery Houses should be available to those wishing to deal with Substance Abuse issues, and Group Home style living options that meet the care/needs of women with mental health issues. Women could “graduate” towards long term, stable housing once these community-based resources are no longer needed.

**Satellite housing** can be acquired with bachelor, one, two, and three bedroom units for women and their children. All housing units must be close to transportation lines, educational facilities, shopping, recreational centres and community resource centres for women. Above all, these housing units must be long term and affordable

**Remedy 1A**

*As per the promises made by the CSC to the Task Force on Federally Sentenced Women*

- I. Fund Community Correctional Centres/Community Placements and/or Halfway Houses and/or Alternative Housing specifically for FSW in each of the five Regions
  - Ensure that each has private accommodation for FSW without children as well as for FSW with their children

(Our survey suggests universal agreement among FSW that subject to the usual restrictions against certain women due to their crimes against children, that children would be both safe and desired in any such facility accommodating current and/or formerly incarcerated FSW)

- II. Immediately pursue private home placement agreements and satellite apartments across the country to augment halfway house/alternative housing for FSW eligible for release. This will avail rural locales that might be closer to the woman’s home community.

### **Remedy 1 B**

Ensure legal counsel is available to all FSW with regard to parole hearing assistance.

### **Release Plan Readiness Remedy 1 C**

As per a 1988 suggestion to the administration of the P4W, in order to assure all FSW of the earliest possible release, particularly in the event that a case worker is due for holidays and or a strike or other work stoppage is pending:

- I. Once the case management officer has conducted their prisoner interview, the prisoner is given an individualized calendar of items with due dates. In this way, the prisoner is clear about what and when any information is needed in order to complete their paperwork on time. In this way there would be no misunderstanding about what is required in the way of an acceptable “release plan,” about providing timely information, about inviting assistants and/or legal counsel to the hearing
- II. A community volunteer and/or a prisoner-worker be selected from the ranks of the Native Sisterhood Group, Lifers’ Group and/or Prisoners’ Committee and assigned to coordinate paperwork to Case Management-

Privacy could be accomplished by assigning a number to the casework file. As in any business, notations could be diarized by date forward to insure follow up for various actions that all know are required such as:

- a) community assessment requested
- b) community assessment completed and verified
- c) job/educational plans submitted
- d) job/educational plans verified
- e) housing plans submitted
- f) housing plans verified
- g) psych assessment requested
- h) psych assessment completed
- i) treatment centre request in
- j) treatment centre verified
- k) Witness/ legal counsel request in
- l) Witness/ legal counsel requests confirmed
- m) NPB receipted paper work
- n) NPB hearing scheduled

Prisoners could be advised at the completion of every step by referring to a bulletin board posting in their unit or in the social development area utilizing their file number and letter of action.

## **Access to Pass and Work Programs – 1 D**

### **Remedy 1 D –**

- I. Paid expenses for Volunteer Escorts,**
- II. Implementation of Funded Community In-Reach-to-Outreach-Workshops**
- III. Implementation of Funded Community Work and Housing Research Projects**

### **Public Education**

The volunteer work that the prisoner support groups I am involved in extends to the community. We organize community public education events to discuss various issues facing Canadian prisoners. The response from the public to our events has grown steadily over the years with more concern about the treatment of prisoners in this country. It has been my experience that the Canadian public genuinely believes that prisoners are in prison to be rehabilitated and that they will be leaving prison with the skills they need to re-enter society as a functioning member of the community. When they learn the facts about who is in prison, why they are in prison, and especially the issues facing women in prison there is utter disbelief. Over the years many prisoners have written articles for us to read and ex-prisoners have come to help organize or to speak at these events. The response from both prisoners and ex-prisoners and the community has been one of appreciation for the skills and resources that have been shared through participation in the community events.

### **Workshops**

Although group members have changed over the years our mandate has remained the same - to work together with the women on the inside and women on the outside to provide a basis of community support. We do this by holding workshops at the prison once a week. Whether the focus of the workshop is to develop creative options for stress relief such as through arts & crafts, creative writing and storytelling; or a more physical approach such as a sporting event, weight training or learning massage technique; or just an evening discussion on current issues and community affairs all workshops are provided free of charge and are open to any woman wishing to attend.

### **In-Reach Work**

On the outside we contact women working in the community and invite them to share their skills and resources with the women inside. Similar In-reach programs can be set up at each women's prison by inviting the local women's community to share their skills and resources. Women from such groups as the local Status of Women, Transition Houses, Rape Crisis Centres, Battered Women's Support Services, Women's Health Collectives, Women's Centres, Aboriginal Women's Committees, Women in Trades, women from Community/Campus Radio, and mentors from the Arts, Cultural and Entertainment communities can be contracted to come in and do a workshop on their area of expertise.

### **Work Release**

This in turn can lead to the possibility of job training in the these fields through government wage subsidy and job placement programs for women returning to the workforce and for training in jobs other than the field that they originally worked in. There may even be women who would be interested in volunteering with these groups

and organizations for skills building exercises. Temporary Absences should be used to facilitate these releases to the community in cases where the woman has not yet reached her parole eligibility date.

**Opportunities in Campus and Community Radio:**

Many people who started in Campus/Community Radio have then achieved jobs as researchers, broadcasters, radio journalists, programmers and technicians within the Canadian Broadcasting Corporation, University Campus and Community Radio Stations. Both Campus and Community Radio Stations offer training workshops for people interested in volunteering at the station in many aspects of operation. Any woman who is interested can attend these classes and learn the skills involved. They can then become a Technician, an on-air announcer or operate the soundboard for a show.  
(See Annex –Community Radio, Affordable Housing, Preventing Poverty and Violence)

**Post Release Training and Supports**

Male ex-prisoners have a broad spectrum of supports available to them when they are released. The same cannot be said for women. Due to the number of male prisoners it only stands to reason that the halfway houses that provide temporary shelter for day-parolees and other organizations set up to aid prisoners are male oriented. The specific needs of ex-FSW are not met.

- Housing needs are just one of the areas in need of immediate address.

**Remedy 1 E - Psychological Counseling and Treatment when requested by FSW**

If a FSW has determined that any factors such as those of past abuse(s) and the resulting psychological problems have played an intricate part in the cycle that led to her imprisonment and she wishes to begin and/or continue healing, she should be availed of the paid services of a woman professional in that particular area, whether the ongoing support and treatment constitutes psychological, spiritual or any other form of healing. An effective network of supports comprised of family and/or community contacts should also be established and maintained over a specified period of time.

**Continuing educational/vocational courses that will enhance employability**

**Remedy 1 F – Link educational and vocational programming inside the walls to ongoing programming in the community**

In order for FSW to make a successful transition into society, programs and services to accomplish these goals must start inside. The content must translate towards a certified level of accomplishment recognized in the society outside the walls. **The European Prison Education Association** was formed to promote prison education in accordance with the Council of Europe’s Recommendation on “Education in Prison” 1989.

The Committee took a broad view of education, so that the report ranges over very

varied areas. Yet two overall themes predominate:

- *first that the education of prisoners must, in its philosophy, methods and content, be brought as closely as possible to the best adult education in the society outside;*
- *secondly, that the education should be a constant seeking of ways to link prisoners to the community outside and to enable both groups to interact with each other as fully and constructively as possible.”* (EPEA-Newsletter Volume 1, #1, March 1991. Newsletter of the European Prison Education Association i.s.n. p.3)

### **Remedy 1 G – Funded ongoing community-based certification programs in both educational and vocational areas**

For anyone who has been released after a long sentence, the costs of obtaining the necessary certificates are prohibitive. In the long term, these costs are minimal in relation to the benefits that are realized by the ex-prisoner and the community.

Certificate programs such as:

- i. ***Food Safe*** or ***Serving it Right*** are required by the food services industry
- ii. ***Enhanced First Aid*** is another requirement for some occupations. Having the certification may mean the difference in getting hired or not.
- iii. ***New Target -Educational Upgrading, Computer Skills Training and Job Skills Training***

During the first half of the 1990s, prior to federal cutbacks, there were few programs that dealt specifically with ex-prisoners. One program that did was ***jobSTART***, operated by a non-profit agency called the ***Vancouver Eastside Educational Enrichment Society (VEEES)***. Many of the men and women who completed the three-month program went on to attend vocational and/or post-secondary institutions to pursue professional/semi-professional designations. Some went directly into the workforce and/or got on-the-job training.

Women released into the community require funded programs and ongoing support. The costs to operate a program similar to the ***VEEES*** operation were about \$5,500.00 per person (\$4000 for the three month period and \$1500 ongoing support). Additional funding was available for specific certification courses that would enhance employability after program completion (i.e. WHMIS, Food Safe, Driver’s License). ***JobSTART*** instilled and enhanced continuity and responsibility on the part of the participants. It also provided some structure to their lives. Each person, while independent, became part of an extended family from which they could draw on for help or advice when needed. These esoteric concepts are very valuable for people who have spent a lifetime damaged and are trying hard to rejoin the community.

The ***jobSTART*** program was successful because the curriculum was tailored to address the specific problems facing those who were incarcerated for extended periods of time. It recognized that problems facing ex-prisoners in the employment field had to be addressed with a short, intensive course that addressed attitudinal issues, job retention, skills development, etc.

One section of the jobSTART program was educational upgrading to grade 12 equivalency. The completion of this allowed people to enter the college system if they chose. Even if a person had completed the GED exams while incarcerated, they were required to attend the writing and lit/arts segments of the classes. The objective of this was to hone their writing and critical thinking skills that would be required in the workforce. The secondary benefit of these two segments was to increase the level of correct spelling which many seem to lack due to gaps in their education and give them more exposure to different ideas and concepts.

Other segments of the program included computer training in the use of word processing (MSWord) and spreadsheets (Excel). Many prisoners have little or no access to computers. Knowledge in the use of computers is needed in virtually all occupations today. The primary objective was to bring the students into the 21<sup>st</sup> century- to overcome the fear of technology. If they chose to return to school, they would submit essays and research papers in computer format. The hospitality industry requires the use of computers as do many other areas of the industrial labor market.

Due to cuts in federal funding, the option of attending this program was denied to those in halfway houses. Funding changed hands to BC provincial Social Services that meant everyone entering the program had to be on income assistance. However, ongoing support in terms of certificate upgrading, employment search and counseling has been available for past clients. This has proved to be invaluable for many people who have attended jobSTART over the past decade. People have contacted the office from other parts of Canada and the US to obtain copies of their educational and other certificates they may have lost in moving about. They understand that their files will always be available to them for this reason.

The value of achievements in upgrading educational and computer skills at a similar program, now federally funded, the **New Target** program can assist women released from prison to set and reach goals. The costs should be born by the CSC.

### **Community-based Resource Centres:**

One effective method of helping women to help themselves is to set up community based centres and services that address the needs of a target group. Women's coalitions, social justice groups and government agencies have worked together to provide user based services that range from issue-based peer support groups, to health collectives, to thrift shops that provide start-up kits to women leaving abusive relationships while at the same time employing workers from that sector. **Women's Centres** provide a safe space where women can socialize, access resources and learn new skills in a supportive environment. Through their experiences, Federally Sentenced Women (FSW) share commonality with the women who these services are provided by, and for. However, as with all groups of individuals struggling to overcome social and personal barriers we found that the greatest outcomes for success are peer inter-related.

### **Community-based Resource Centres:**

Women returning to the community from prison, whether federally or provincially sentenced, first need a safe space of their own where they can meet together to share basic information concerning their needs and the needs of their families.

These centers should be staffed by women who understand not only the barriers facing women coming out of prison, but the issues that prisoners face on a daily basis on the inside – both prison advocacy groups and former prisoners. The centre should operate with a minimum of two full time paid staff and two full time volunteers. Any woman doing time in that area should be allowed temporary absences to come to the centre.

### **Services Provided:**

The centre should operate as a resource and referral service for all prisoners, ex-prisoners and women in conflict with the law. A resource guide of community services for women in that area would be accessed through the centre. The centre would also develop and offer their own resources and services such as peer support counselors, hosted workshops and information sessions provided by other organizations, and educational programs such as GED upgrading.

There should be a 1-800 number that can be accessed by all women prisoners who need referral and resource information prior to release. As well this number could be used as an information service for family members of women in conflict with the law. When a woman is sentenced to a term of imprisonment her sentence not only isolates her from her family and the community, it can isolate her family from the community. Many relatives and friends of women in conflict with the law do not know where to turn when seeking assistance for someone on the inside. Sometimes they do not even know where the prison is, how to book a visit, or how to find a lawyer.

We seek the following:

### **Remedy 1 H**

That a funded national network of Drop-in Centres be developed with the goal of providing services and training for FSW in each region; to be staffed and operated by advocates for FSW and formerly incarcerated FSW.

Aboriginal Specific Community Remedies: See Section VII

“ With respect to the prison population, the four determinants of size are crime rate, incarceration rate, sentence length and release policies and practices” (RPP p.9).

In the year ended April 29, 2001, 12,430 men and 385 women were serving federal sentences in Canadian penitentiaries. Yet, *admissions* for the year 2000-2001 show that over 5% were women versus the 2001 incarcerated rate of 3% - a figure which speaks to the alarming increase in the incarceration rate of women in Canada.

## INSIDE THE WALLS

### The “Talk”

*“Custody: Accommodation and management of offenders is reasonable, safe, secure and humane and in accordance with the least restrictive option” (RPP p.4).”*

*CCRA 4 d) that the Service use the least restrictive measures consistent with the protection of the public, staff members and offenders*

### The Walk

#### Lack of Minimum Security and No Community Correctional Centers for Women

As of March 31, 2001 there were 160 women classified as minimum security ( 41.56%) versus 2580 men ( 20.76%).<sup>8</sup>

- There is only 1 minimum security facility for women. This facility is scheduled for closing. It is not equal to what is available for men since each man has a private room in a house or trailer shared by only 2-3 others, but we acknowledge that it is better than nothing.

I was one of the first women to be transferred to the only minimum security prison across the road from P4W. Despite the obscene contrast between the nineteenth century prison conditions of P4W and the upper class opulence of the newly renovated warden’s mansion, this minimum did give us the opportunity to work outside the prison environment, cook our own meals and live in a house with no walls or fences. Another woman and myself were able to work in a woodshop at the Freedom Farm, other women did landscaping at CSC Regional Headquarters and some women worked with private landscapers in Kingston. In a word, the minimum allowed us to *decompress* from a highly structured archaic prison to a relatively open one.

- There are 34 minimum security penitentiaries for men.(15 totally separate/2 annexed)
- There are NO community correctional centres (CCCs) for women
- There are 17 CCCs for men. (16 totally separate /1 annexed)

<sup>8</sup> Basic Facts About Corrections 2001 Edition

## **Remedy 2A**

- I. Immediate construction/contracting of minimum security and/or community correctional centers for FSW in each region in a separate location from the regional facilities currently in operation, substantively equal to those available to FSM
- II. Minimum security women should be immediately transferred to the under populated minimum security, Isabel McNeill House, transition houses, halfway houses and/or community placements.

## **NO Separate Medium Security Facilities for Women.**

As of March 31, 2001 there were 144 women classified medium security (37.4%) versus 7426 men (59.74%)

- All facilities for women are classified as Multi-Level, which means that the facility must meet the security requirements of the highest level security. Therefore all of the medium and minimum security classified women are held under maximum security conditions.
- Though the Okima Oki Healing Lodge is designated Multi-Level, it admits only minimum security classified women.
- There are 19 separate medium security facilities for men.

## **Remedy 2 B**

- I. That the CSC cease and desist their current practice of keeping medium security classified women under maximum security conditions by ensuring that housing and programs truly reflect the medium security status of FSW.

## **The Overbuilding of Maximum Security Custody for FSW**

There are 1709 men (13.75%) classified maximum security while 6189 men (49.8%) are serving sentences of 6 years or more.

They are incarcerated in 8 separate maximum security penitentiaries for men, a ratio of maximum to total facilities for **FSM of 8:70 or 11.4%**.

There are 32 women classified maximum security under federal jurisdiction (8.89%) When adding the approximately 20 women in BCCW there are 52 FSW classified maximum(13.5%) – about the same ratio as FSM however only 140 women (36.4%) are serving sentences of 6 years or more.

**FSW** are now incarcerated under maximum-plus security conditions in 4 maximum security units in men’s penitentiaries. Since provincially sentenced women are also held in these max units in men’s penitentiaries in Sask one cannot determine the # of FSW held there. We can however conclude that the 4 max units represent a ratio of max facilities for **FSW of 4:10 or 40%**.

The CSC designated the five existing regional prisons for women as “multi-level.” But the reality is that currently **only minimum** security classified women are acceptable by

the **Healing Lodge** and **no maximum security** classified women are acceptable by any of the five regional prisons for women so the other 4 are effectively medium security. Their plans however, are to add 50 new maximum security beds to the existing “multi-level” facilities at Nova (10), Joliette (10), Grand Valley (15) and Edmonton (15). They are as well preparing the “soon-to-be-named” Pacific Regional Centre for Women to house the FSW currently under provincial jurisdiction at the “soon-to-be-closed” BCCW. We understand that a maximum security unit is being constructed on the grounds of the Regional Psychiatric Centre for men in Abbotsford, BC. There will then be 5 maximum security facilities albeit on the same grounds of the regional facilities for women and 1 on the grounds of a FSM’s prison. Max facilities for women will then be **5:11 or 45.5%**.

**Remedy 2C**

- I. a moratorium on the construction of any new medium or maximum security prisons.
- II. Immediately transfer the “maximum security women” held in the men’s prisons to the medium security prisons which have adequate static security as well as security procedures to deal with any situation already
- III. Dismantling of excessive maximum security units in favour of the restoration of the principles of the Creating Choices by:
- IV. Renovating the units to accommodate Fully Equipped Hobby/Woodworking/Vocational Shops, Child-Care Centres, Computerized Study Centres, and/or Library Centres

**How does the CSC discriminate against women prisoners in other ways?**

*Inappropriate Classification and Criteria resulting in the more harsh treatment and conditions of confinement for women versus men*

<b>High Needs</b>
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As Elizabeth Thomas stated, in 1996 Dr. Margo Rivera assessed the 26 women that the CSC categorized as having the greatest mental health needs and concluded that there were in fact only 8 who “required extra supervision, support and treatment...” However, the CSC has blown up those numbers to justify the building of more maximum security units euphemistically termed by the CSC as “structured living units.” These units in Edmonton, Joliette, Kitchener & Truro demonstrate clearly the **extreme overbuilding of secure units**.

We ask this Commission for :

**Remedy 2 D:**

- I. only those FSW assessed by professionals such as Dr. Rivera be assigned for specialized treatment and/or be held in “structured living units” and **only** for treatment by and for a period designated by psychiatric professionals, not by employees of the CSC and only upon agreement by the women involved so as to equate the legal definition of “informed consent”

- II. Furthermore to deter the CSC from over-classifying FSW with mental health needs, that any such classifications/re-classifications be subject to review by independent psychiatric professionals, and
- III. Immediately convert the extra units for educational, vocational, recreational, social, hobby craft and/or family visiting-specific purposes.

For women ‘diagnosed’ with mental health needs by psychiatric professionals, there must be information made available to them and/or their chosen representatives, such as educational pamphlets on the specific disorders; how to work with their particular mental health needs, if applicable; information about the type of medications they are being offered and the adverse effects of same, including any adverse reactions caused by interactions with any other medication, food and/or supplement; any changes of medications and a continuous record furnished to them and/or their family/community support resources of all and every ‘treatment’/medication along with the schedule and dosage(s) for same that they receive and an advice of any future changes, additions, deletions and/or alterations in schedule and/or dosage.

**Women’s Needs  
Often Erroneously interpreted as “Mental Health Needs”**

As a woman who’s been in conflict with the law, who was a FSW, who is now a health care professional, the **right to informed consent** is basic. It’s unethical to assume that any therapy or therapist has the right answers; it is unethical to assume that because a woman has made poor choices in her life that she is somehow “mentally ill”. It is totally unethical to confine a woman inside her cell for 23-24 hours, letting her out for the occasional shower, and of course the handcuffs, just to walk out onto an already secure unit. Prison is not a helping environment.

Kathleen Kendall has already researched the topic of therapy inside prisons and come to the same conclusion. The CSC, however, only acknowledge research that supports their own needs of total control to increase their job numbers and security. Being a prisoner in the federal system does not give the CSC the right or the intellect to judge any FSW on their ‘criminal histories’ and/or their ‘personalities.’ Prisoners lose their freedom, not their rights. These are dangerous roles the CSC has assumed, encroaching upon other professional fields, areas, they have no business pretending to understand. They have and will cause more problems for these women and should be held accountable for the additional suffering they have imposed and are intending to impose.

I took the liberty of giving myself the “self-test for Borderline Personality Disorders”, (see Appendix) taken from the SLS Health Treatment Services web site. There are just a few questions. The first test was as I was at the age of 19 years: I scored 25 out of a possible score of 36, and was told that my “...answers strongly suggest that you may have borderline personality disorder. You should schedule an appointment with a behavioral health professional for a consultation.” I retook the test, as I was at 40 years of age: I scored 9 out a possible score of 36. And was told, “It is unlikely, based on your answers, that you have borderline personality disorder.” I encourage everyone to take the test...as

you would have answered as a young, impulsive, mixed up youth, and again, at the age you are at now. You will see some major differences in the way that you think, relate, and deal with problems.

I did not receive 'treatment' for borderline personality disorder at any time in my life. What did happen was that I matured. Yes, I did have help along the way, and will gladly acknowledge that help...and, yes, there were groups who were instrumental in the fact that I am still alive today...yet this could not have happened had I not wanted it and also consented for it to happen. If the CSC had imposed the methods on me that they are now imposing upon so many FSW, I know that I would have worsened, not healed. One cannot heal while segregated in maximum security away from all of the humanistic, life-affirming elements of life. This just is not possible.

You also cannot expect a woman who has most likely been abused for most, if not all of her life, to share her life experiences with the same correctional officers that handcuff and shackle her...the same guards that watch over her shoulder as she writes a letter to her children, because they fear there might be something 'slandorous' in the letter. Even Marsha Linehan, who has formulated the Dialectical Behavioural Therapy [DBT] for the treatment of borderline personality disorders specifically states in her manual that this type of treatment must be on a voluntary basis. There must be informed consent. Involuntarily "treating" FSW is not only unethical and immoral, it is also illegal. Even human test subjects have more rights than these women do right now.

What happens when the floodgates of emotional upheaval open? (Which is what can happen in any therapeutic setting) The CSC's Management Protocol states that physical or emotional aggression will not be tolerated, that there will be a zero tolerance towards this type of behaviour. These women are expected to open up to their captors, make themselves the most vulnerable [as best they can while being shackled and handcuffed, and forever watched], but not to express any response to these forms of violations or show any emotional aggression, just quietly shuffle back to their cages. How would any "normal" woman act if she was to have been held under these conditions for year upon year?

There are other ways to heal our women.... this is NOT one of them. While I was in prison, I had the honour [?] of being involved in a 'new' group for the women called Brentwood. It was new for the women, yet had been in the men's prisons for some time. However, how honourable were the intentions of the people who conducted the program? The program itself was highly flawed. It consisted of rote memorization along with denying any thoughts or ideas of oneself in the process. How could anyone possibly heal from traumatic childhood sexual abuse by silencing the abuses?

I came into my own in prison, in that that was where I initially grew up. What a statement. And yet it's so true. Saddest yet, there are many women who were raised behind the walls and are still there, suffering in the name of community protection. These women need most to be released...they need out. They don't need the DBT, they don't need UNprofessionals claiming that because their lives are messed up they are therefore "guilty of a mental illness," and suddenly diagnosed with borderline personality

disorders. They don't need corrections trying to "correct" them by punishing them with more isolation from themselves and the women that could help them the most – their peers. They don't need to be corrected. They need support. They need to know that they are not alone. They need to be reassured that whatever decisions they made in their lives, from the most trivial to the most violent, do not define who they are. That they and the community that was harmed can be healed. They need community support...not "correctional support"; we've all had enough of that. And it proves itself time and again to be a total waste of all of our dollars and an extreme abuse of human rights.

Lack of community support only enables more abuses of human rights and that is precisely what is accomplished by locking them away 23 hours a day in a men's penitentiary. The CSC has only reinforced to these women that there is something wrong with them, when in fact, there is nothing wrong with them at all that couldn't be healed with compassion, understanding and freedom to 'heal.'

Since the women held under maximum security SHU-like conditions in men's penitentiaries across Canada has been likened by the Correctional Investigator (1999-2001) to segregation, it is these conditions under which these women have been subjected to that, in fact may very well have created the very poor conditions of mental health many women are accused of exhibiting.

In contrast to claims by the CSC that the FSW are receiving "treatment," there is a body of clinical literature that supports the view that the effects of long-term segregation on prisoners are deleterious to their mental health. Grassian concluded from his research on inmates that:

...rigidly imposed solitary confinement may have substantial psychopathological effects and...these effects may form a clinically distinguishable syndrome. In that study, he found the inmates suffering from, among other things, perceptual distortions such as hallucinations, affective disturbances such as massive anxiety, difficulties thinking disturbances in thought content, problems with impulse control and rapid subsistence of symptoms on termination of isolation. Similarly, Benjamin and Lux found evidence from the experience of prisoners and prison psychologists, of damage in the form of cognitive impairment (e.g. concentration, memory, and hallucinations) and emotions impairment (feelings of hopelessness. Depression, rage and self-destructiveness) as a result of detentions in solitary confinement (Arbour 1996:186-187).

The Canadian Human Rights Commission must understand the failure of the CSC to provide redress voluntarily to human rights complaints.

Madame Justice Arbour in her 1996 Report characterized the Service's approach in addressing issues as *"deny error, defend against criticism and respond without a proper investigation of the truth."* I would add to this approach, *delay the response and ignore both the Issue and past commitments.*"<sup>9</sup>

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<sup>9</sup> <http://www.justicebehindthewalls.net/news.asp?nid=18>

## **Specific Case**

Prior to the agreement to close the Prison for Women few women were shuttled back and forth across the country. However, after the appalling assaults of women in the segregation unit of P4W in 1994, prior to the Arbour Commission, the CSC convinced Sandy Paquachon (see Appendix) to transfer to the Regional Treatment Centre in Sask. She was one who had been stripped by male members of the Emergency Response Team and one who had been illegally transferred to the Kingston Penitentiary for Men. Following these particular events of abuse she was advised to ingest certain drugs. She didn't know what the drugs were and nor did she know and/or understand what affect they could/would have on her. She was incapable of making any voluntary, legal, informed decision.

The CSC promised her that when the Healing Lodge was opened, that she would be transferred there. Not only did the CSC violate her rights in the transfer but as casually broke its promise to her and to all members and contributors to the Task Force on Federally Sentenced Women whose primary objective for the recommendation of a Healing Lodge was that it would meet the needs of all Aboriginal women.

With no "Correctional Plan" and no knowledge or ability given to her to move to lower security, violating her Charter rights again, after more than 7 years she remains locked in a men's penitentiary in Sask. She has suffered one of the longest lists of human rights abuses recorded by the Commission and is slated to suffer continuing abuses when she is transferred to the new regime of maximum security "pods" in one of the regional facilities for women (see description by Elizabeth Thomas).

The plans for her and the other women now held in men's penitentiaries ensure more CSC jobs and equal or greater amounts of hardship and despair for these particular FSW. The 4-level-maximum security units in the regional prisons promise more impossible barriers to cross as women will be paraded in front of other FSW in handcuffs and shackles, demoralized and demonized.

## **Compensatory Relief**

This woman along with the other approximately 45 women held in SHU-like conditions for year upon year deserves not only compensation for their years of torture but they have also earned a chance in the community via a structured release program. One must allow for the fact that one year incarcerated under SHU-like conditions is most likely equivalent to a minimum of two years served under "normal" maximum security conditions and perhaps up to five years of "normal" medium and minimum security conditions.

How else can correctional authorities be made to understand that ongoing violations of human rights will meet with ramifications? How else can we protect women in the future from human rights abuses? If we do nothing, we will only move even closer to the pattern

that has emerged in the US.<sup>10</sup> As we said in our introduction, this is a most momentous time in the history of democratic societies. To acknowledge the abuses of the rights of the most disenfranchised by awarding them liberal remedies is to raise the standards of human rights for all in a time when everyone's human rights and civil rights are at risk.

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<sup>10</sup> *Criteria for Supermax Confinement*

Many correctional authorities use overly broad and vague criteria for determining supermax eligibility and fail to exercise appropriate control over placement decisions. As a result, inmates are placed in supermax confinement even when such restrictive controls are clearly excessive in light of their behavior—for example, prisoners who are difficult but not dangerous, who have been involved in a single fight, who have accumulated a record of minor, non-violent disciplinary infractions, or who are gang members but have not been involved in any misconduct.

Thoughtful corrections professionals would acknowledge that such inmates could be managed adequately through other avenues of control. But if a state has a supermax facility, there are overwhelming institutional temptations to send any troublesome inmate there. The temptations are particularly difficult to resist when a state has a shortage of prison beds at lower security levels. Faced with prison population pressures and unwilling to leave expensive supermax facilities half empty, officials in practice expand the criteria for supermax eligibility. Corrections officials also frequently place disruptive, mentally ill inmates in supermax confinement because they lack other housing options, such as secure mental health treatment units or segregation units specifically designed for mentally ill offenders.

*... Duration*

The pain and psychological damage that supermax confinement inflicts depend in part on each inmate's character and psychological make up. But the length of time to which a person is exposed to these conditions indisputably aggravates the suffering. In most places, confinement to a supermax is for an indefinite term and may last for years before officials decide that an inmate is no longer a threat to safety and security and can be returned to a general population facility. In some facilities, inmates are supposed to be able to "earn" their way out through good behavior. By maintaining good conduct, they progress through different levels of privileges and programs until becoming eligible for release out of the supermax. But the process is akin to the game of "chutes and ladders"—a minor infraction can send an inmate back to the starting point. When the length of time in supermax confinement is extended because of minor rules violations, inmates are in effect receiving a disproportionate punishment. Moreover, there is no guarantee that good behavior will eventually secure a release: corrections authorities retain complete discretion over that decision.

*Abuse*

There is a heightened risk in supermax facilities that correctional officers will use abusive levels of force. They work in an environment in which the usual prison "us vs. them" mentality is exaggerated by the minimal staff-inmate interaction, the primacy of security over all other considerations, and the fact that the inmates have been demonized as "the worst of the worst." Perhaps not surprisingly, correctional officers in some supermax facilities have repeatedly crossed the line between the legitimate use of force and abuse. They have used force -- including cell extractions and the discharge of electronic stun devices, stun guns, chemical sprays, shotguns with rubber pellets and even guns loaded with lethal munitions -- unnecessarily, dangerously, and even maliciously.

The frequency and nature of staff abuse of inmates in a supermax (as in other prisons) is a reflection of management: abuse proliferates where management fails to signal unequivocally -through policies and their implementation-that excessive or abusive force will not be tolerated. In supermaxes with a pattern of excessive staff violence, management has tacitly condoned the abuse by failing to investigate and hold accountable those who engage in it.<sup>10</sup>

The remedies for the brutality heaped upon these women must be the highest possible sanctions levied against the CSC.

The remedies afforded to the FSW so abused and violated for so many years must be the most liberal.

## **THE RULE OF LAW**

We have witnessed, through publicly aired videotapes, what happens when correctional staff act out of vengeance and how the absence of community interveners within a prison regime can permit these abuses to escalate.

Justice Arbour concluded that:

As a corrective measure to redress the lack of consciousness of individual rights and the ineffectiveness of internal mechanisms designed to ensure legal compliance in the Correctional Service, I believe that it is imperative that a just and effective sanction be developed to offer an adequate redress for the infringement of prisoners' rights, as well as to encourage compliance. One must resist the temptation to trivialize the infringement of prisoners' rights as either an insignificant infringement of rights, or as an infringement of the rights of people who do not deserve any better. When law has granted a right, it is no less important that such right be respected because the person entitled to it is a prisoner. Indeed, it is always more important that the vigorous enforcement of rights be effected in the cases where the right is the most meaningful....

(1996:182)

Respect for the individual rights of prisoners will remain illusory unless a mechanism is developed to bring home to the Correctional Service the serious consequences of interfering with the integrity of a sentence by mismanaging it. The administration of a sentence is part of the administration of justice. If the Rule of Law is to be brought within the correctional system with full force, the administration of justice must reclaim control of the legality of a sentence, beyond the limited traditional scope of *habeas corpus* remedies.

If illegalities, gross mismanagement of unfairness in the administration of a sentence renders the sentence harsher than that imposed by the court, a reduction of the period of imprisonment may be granted, such as to reflect the fact that the punishment administered was more punitive than the one intended (Arbour 1996:183).

And we therefore seek this Commission's agreement with the conclusions of Supreme Court Justice Louise Arbour.

We beseech this Commission to adopt the following:

### **Remedy 2E**

- I. The immediate transfer of all FSW from the confines of men's penitentiaries to medium security units in the regional facilities until
- II. The determination of what the prison years that they served under the extreme conditions of deprivation would be equivalent to, if served under humane

- conditions without excessive security measures; with this determination to become
- III. The relief from future imprisonment and the immediate release into community placements via a release program approved by CAEFS and its appointees
  - IV. Compensation for each FSW in an amount to be determined by this Commission and multiplied by the number of years of this abusive confinement

***s.12 Everyone has the right not to be subjected to any cruel and unusual treatment or punishment***

*Equality Rights*

*s.15 (1) Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.*

Utilizing such criteria as “inappropriate sexual preference” in any judgment to penalize either women or men violates both the Charter of Rights and Freedoms and the Human Rights Act. In fact the CSC itself acknowledges on its website that “the findings of the court specifically addressing sexual orientation (have resulted in the change in CSC rules and regulations) so that “the Private Family Visiting Program no longer discriminates on grounds of sexual orientation;” We know that the CSC have in fact paid for medical procedures for men wishing to change their sex from male to female, yet FSW are not even permitted to wear halter tops or to sun bathe! This form of colonial, Victorian-like repression is not only morally outdated it is unlawful.

**Remedy 2 F**

- I. We ask this Commission to uphold the rulings of the court and order the CSC to desist any and all practices that discriminate on the basis of sexual orientation, to strike any and all rules and regulations that prohibit behaviour and habits that in Canadian society are lawful, and
- II. to rescind any order that demands that FSW dress like CSC employees do. In public arenas a dress code may be acceptable, however in other areas of any prison in Canada such as prisoners’ recreational areas, there can be no justifiable order to “cover one’s navel” and no legal order to prevent ‘same sex’ relationships and/or private family visits.

<b>Family &amp; Community Contact</b>
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The most important protection for the safety and successful reintegration of any prisoner into society is family and community support. Without it the prisoner is defenseless in the event of overwhelming conditions of depravity and deprivation while imprisoned and becomes more and more withdrawn and institutionalized. There can then be little optimism for the successful reintegration of this prisoner upon release.

For the most part prisoners in this country live in isolation, isolation from their families, from their friends and from their communities. While the very nature of incarceration is to isolate the prisoner from the community the successful reintegration of the ex-prisoner to the community cannot be achieved in isolation from the community to which they are expected to return. In all my years of experience in visiting prisoners I have observed many obstacles, which prevent prisoners from having contact with their friends/family and community support.

### **Family and/or Community Support**

Because I was a middle-aged woman when I entered prison, and one with a large base of family and community support I was more fortunate than most prisoners. I was able to continue my “political” activities in prison with the protection of my support network. That is the major difference between myself, the way that I moved through the prison system and out at my first eligibility date to those that have served over double the time that they have by law needed to. I know therefore, that the single most important component towards achieving the fair treatment of prisoners is their own abilities to maintain and indeed to expand their networks of support from their own family and/or communities. It is therefore imperative that FSW have the right to liberal and unharassed visiting and correspondence.

### **Remedy 2 G**

- I. That previously described “privileges” of visits, telephone calls and correspondence be determined by this Commission to be Prisoners’ Rights.
- II. That any disciplinary infraction other than a criminal conviction of the visitor and/or correspondent occurring as a result of that visit and/or correspondence should not impede future visits and/or correspondence with that visitor or other visitors and that correspondent or other correspondents.
- III. Furthermore, in particular for those prisoners without family and/or community support, each prisoner so identified must have the right to equal opportunities to support by developing and choosing the peer supporter of their choice, someone that they know to be both reliable and trustworthy so that they do not feel helpless and more threatened by correctional staff during lock-downs, segregation and/or transfers.

### **Remedy 2 H**

To stop immediately the restriction of PFVs for FSW so that they may enjoy PFVs at the same frequency as those available to FSM. – i.e. now told can’t have 72 hours every 2 months.

## **Ability of Visitors to Visit**

Despite the recommendations in Creating Choices to insure that the regional prisons be located near urban centers, with the exception of the facility in Edmonton, the CSC chose to locate them in rural areas, areas often without women's organizations of support.

### **Remedy 2 I**

#### **Visitor Transportation**

Every prison in Canada that is not located on a municipal bus route should run a shuttle bus from the closest commercial bus line to the prison every visiting day. As visitors need to call in advance to book their visit they can also confirm a seat on the bus at that time. Whereas visiting is regulated as to time and capacity the prison will know what size bus is required to meet the capacity of the visiting area and when it is needed.

### **Remedy 2J**

#### **Visitor Accommodation**

Most FSW are imprisoned far from their home communities. The travel costs for visitors are substantial, however the additional hotel costs often make visits financially impossible. This burden of cost is significant in First Nations families, as almost all First Nations prisoners are imprisoned outside of their home communities, not to mention outside their home provinces. The CSC should provide at minimum one single family dwelling, located outside the prison grounds that can be used by families whose home communities are at a distance.

### **Remedy 2 K**

#### **Telephone Contact**

The CSC should permit reduced rate telephone cards/numbers so that FSW are able to call their economically disadvantaged families and friends and/or legal assistants on a regular basis. These plans allow the recipient of the call to pay a reduced long distance rate. Cards used are non-negotiable, have no cash value and can only be used to call the designated phone number. The recipient of the call must accept the call. An alternative to the card is an assigned number given by the phone company. There is no additional cost to the prison to administer this type of call.

### **Remedy 2 L**

Initiate pre-paid postage with the acceptance of stamps forwarded by correspondents; these stamps to be kept in V&C area by way of book entry; the journal entries to record debits and credits to each account to be done by a member of the Prisoners' Committee, Lifers' Group or Native Sisterhood

### **Remedy 2 M**

I. In order to ensure enrichment of activities for FSW as well as enhance community involvement the CSC must fund both travel expenses and materials used for workshops for volunteers and NGOs involved in these forms of :

#### **In-Reach Work.**

**i.e. Joint Effort-** an independent organization made up of volunteers from the Vancouver women's community whose activities promote equality and empowerment for women; Status of Women; Transition Houses; Rape Crisis Centres; Battered Women's Support Services; Women's Health Collectives; Aboriginal Women's Committees; etc

**i.e. Workshops-** creative options for stress relief such as through arts & crafts, creative writing and storytelling; or a more physical approach such as a sporting event, weight training, tai chi or learning massage technique; or just an evening discussion on current issues and community affairs open to any woman wishing to attend.

## **Education and Training**

*The CSC has a written Mission Statement full of empty words, words that do not translate into and I fear are not even intended, to be actioned. Once I pled guilty and was sentenced, the public and the justice system appeared satisfied. I became simply a commodity, part of the inventory managed and moved around from warehouse to warehouse by the CSC. What correctional authorities still attempt to do is in direct opposition from what I knew was correct then -17 years ago. Nothing has changed since- authorities continue to treat prisoners as if they are commodities, albeit, commodities to which they owe their jobs to along with the growth of their industry. I believe the public expects that the prison authorities are spending their \$1.5 billion tax dollars on education, training and therapy for prisoners that will return safe, law-abiding, productive citizens able to contribute to their communities. Unfortunately the greater percentage of money is spent on maintaining the corporation not on prisoner rehabilitation.*

CSC goals are purely self-serving -to maintain the security of their jobs through the absolute control of their environment so that it is safe. If they were truly concerned about the safety of the public, they would not mentally and/or physically abuse prisoners creating within them frustration and rage. They would not make every attempt to desensitize prisoners, they would in fact be sensitizing them so that prisoners could learn how to form lasting relationships and would embrace the values of a loving and safe family and community that many have never had.

*To do this, the CSC would spend money on real educational and vocational training so that each prisoner is able to continue to expand their learning and/or obtain a job and housing and adequately support their families upon release. But instead the focus is towards creating 6-week programs that large numbers of prisoners flow through, numbers used to tell the public how many prisoners are being rehabilitated. They don't tell them that these 'programs' are mandatory, are programs in which the prisoner simply learns to say what is expected of her/him and are programs that result in no certification of education and/or training that are useful on any resume.*

*The CSC actually prevents the development of critical thinking, a crucial element in the process of correct decision making. Any questioning of the correctional rules and regulations and/or the laws that govern them is interpreted as a problem to control – that being a good 'inmate' means that the prisoner must conduct themselves in a mindless, slavishly obeisant manner, without thought or care to the meanings of the rules and regulations and/or to the affect that their misinterpretations can have on themselves*

and/or any other prisoners. Anyone who questions staff interpretations of anything must be “corrected.”

**“Research has indicated that crime rates may be directly correlated to economic and social factors” (Report on Plans & Priorities, CSC. p.8)**

*In order for FSW to make a successful transition into society, **programs and services to accomplish these goals must start inside**. Programs in vocational and educational areas, which form part or all of the requirements towards a certificate, valued as “currency” on any job resume need to be implemented. As stated previously:*

**The European Prison Education Association** was formed to promote prison education in accordance with the Council of Europe’s Recommendation on “Education in Prison” 1989.

*The Committee took a broad view of education, so that the report ranges over very varied areas. Yet two overall themes predominate:*

- first that the education of prisoners must, in its philosophy, methods and content, be brought as closely as possible to the best adult education in the society outside;
- secondly, that the education should be a constant seeking of ways to link prisoners to the community outside and to enable both groups to interact with each other as fully and constructively as possible.” (EPEA-Newsletter Volume 1, #1, March 1991. Newsletter of the European Prison Education Association i.s.n. p.3)

**FSW have met extreme discrimination** due to the lack of real educational and vocational training opportunities while imprisoned. To ameliorate this discrimination the following Remedies are requested.

### **Remedy 2 N**

- I. Immediately discontinue programs that do not contribute to the formation of part or all of the requirements towards a certificate, valued as “currency” on any job and/or educational resume
- II. Immediate Contracting with Educational and Vocational Providers linked to Outside Continuing Educational/Vocational Training and Job Opportunities in consultation with the Canadian Federation of University Women (CFUW) e.g.: Women in Trades Program, Community/Campus Radio, and mentors from the Arts, Cultural and Entertainment communities, New Start Program, SFU, Native Film Program, Capilano College, etc. CPR & First Aid;

These can lead to the possibility of job training in the these fields through government wage subsidy and job placement programs for women returning to the workforce and for training in jobs other than the field that they originally worked in. There may even be women who would be interested in volunteering with these groups and organizations for

skills building exercises. Temporary Absences can be used to facilitate these releases to the community in cases where the woman has not yet reached her parole eligibility date.

### **Opportunities in Campus and Community Radio:**

Many people who started in Campus/Community Radio have then achieved jobs as researchers, broadcasters, radio journalists, programmers and technicians within the Canadian Broadcasting Corporation, University Campus and Community Radio Stations. Both Campus and Community Radio Stations offer training workshops for people interested in volunteering at the station in many aspects of operation. Any woman who is interested can attend these classes and learn the skills involved. They can then become a technician, an on-air announcer or operate the soundboard for a show. (See Appendix – Community – Radio)

### **Citizenship**

Women in prison should be empowered by giving them more control over their lives and social conditions thereby learning about what it means to be a viable and responsible citizen. Existing prisoner committees are puppet governments that the wardens control by refusing anyone to run for office. Instead of independence and responsibility, FSW are intimidated and threatened. Wardens use disciplinary infractions as reasons to deny candidates chosen by a much smaller population of potential candidates than is available to FSM. This eliminates a large number of prisoners many of whom may in fact be representative of the population but more importantly are chosen by the population. We understand that the ability for FSW to form groups in the regional prisons for women are also made to conform to rules and regulations not existing for similar groups for FSM, rules such as who must be included in membership.

### **Remedy 2 O**

- I. Prisoners' Committees- the lack of time left to complete the six month term of office shall be the only legitimate reason to deny any FSW her candidacy
- II. Prisoners' Committees, Lifers' Groups and Native Sisterhood Groups shall be independent from the prison regime in that the groups are able to both set the schedule for and conduct their own meetings without institutional direction and/or interference
- III. Each group will have one or more liaisons/sponsors from the community who will attend each meeting. A copy of the minutes of each meeting shall be provided both to the group to keep within their records area and a copy to the liaison(s) who will main a duplicate records area outside the prison. Confidentiality of membership and individual member statements will be essential.
- IV. Each group will have one or more representatives who shall have the right to communicate independently and directly with their chosen liaison from the outside.
- V. Each group will have the right to communicate with other similar groups in other federal prisons across Canada

## **Preparation for Choices**

*FSW require educational assistance to promote a better ability to make reasonable and viable choices in order to assist them in goal setting and achievement. The CSC should pay for course materials required. Volunteer tutors could be available to conduct seminars utilizing these materials. The following are examples of the types of materials we are recommending.*

### **Critical Thinking**

*Whether or not she is utilizing the material for credit towards a degreed program of study, or whether the material is issued for general knowledge, it must be made available. Without a sense of critical thinking, no prisoner can possibly be successfully integrated back into any community where every moment of every day, correct decisions crucial to oneself, one's family and one's community well being must be made.*

### **Role Modeling**

*The knowledge of how to overcome difficulties through the voices of women over the ages that have survived and proliferated can motivate many women who may have either no role model or few with which they might identify and emulate in a positive fashion.*

### **Remedy 2 P**

*Free provision of University level course material such as*

- I. Critical Thinking*
- II. Women's Studies*

## **Opportunities to Learn Shop Trades & Crafts**

Women need opportunities to gain greater self-sufficiency and self-identity in these areas. Vocational programs should include, but are not limited to areas such as welding, carpentry, electrical, plumbing, and something in the automotive trades. There is no stigma attached to the certification because the individual provinces issue the certification through their trades qualifications branch or Department of Education. **Women in Trades** must be reinstated.

Equipping a proper arts and crafts shop that encourages women to develop their artistic skills will allow them to use those skills for positive self-expression and recognition. Access to a peaceful area where one can create is also a form of therapy for many. Encouraging volunteers from the community to hold workshops and to instruct will also give women the social skills that can help in more effective communication. FSM have entered public contests. They have earned prizes for their excellence in artwork giving them recognition in the community. This has a very positive effect on the prisoners involved. There is a residual effect on the other prisoners who see the positive changes and the opportunities.

### **Remedy 2 Q**

- I. Fully Equipped Vocational Shops and Hobby/Craft Shops on site or Access to similar shops in the community and reinstatement of programs like **Women in Trades**.
- II. Contracted, qualified instructors for vocational and hobby craft areas or Access to same in the community

Educational programs must include degreed university level courses. Over 27% of FSW are serving from 3 to 6 years, while over 36% of FSW are serving sentences of 6 years or more. In order to both provide an environment of learning and enrichment versus one of subjugation and despair, counselors and tutors can assist women to complete goals that would be particularly valuable to those serving lengthy sentences preparing them for reentry to society after long terms of incarceration. This long estrangement from society can be eased by providing a somewhat structured path. The transition from the often irrational prison structure to the smooth running university campus structure provides new social contacts, involvement in new activities and help in adapting to a fast-paced society.

The following remedy is requested:

### **Remedy 2 R**

- I. Access to paid for university level course material and instruction.
- II. Computerized study areas provided
- III. Library research enabled in order to complete assignments
- IV. Paid Tutor assistance

Many formerly incarcerated FSW have gained skills in the community, in educational, vocational and creative arts areas. We suggest that the sharing of their achievements would enhance and enrich the FSW currently imprisoned and would provide further role modeling and optimism about their chances of successful reintegration. These could encompass working Cooperatives. These areas include but are not limited to the manufacturing/making, source/resources and marketing of the following:

Soaps

Herbology, Herbal Remedies–Their affects and benefits

Alternative Treatments

Crafts, Sewing and Needlework

Sculpture

Research and Reading Materials on

Creative Writing

Budgeting for Business

Motivation and counseling

Materials Management

Massage and Equipment

Essential Oils, Hydrosols and Aromatherapy

EFT ~ Emotional Freedom Technique.....this is an energy healing technique, it would be a great benefit to anyone who has emotional/psychological “baggage”.

Therapeutic Touch & Touch For Health ~...2 different types of energy healing...  
Nutritional 'counseling' .& guidance ~  
Community Services ~referencing and availability  
Web Site Preparations

### **Remedy 2S**

We recommend that wherever possible that contracts with formerly sentenced FSW be sought after in conjunction with tenders put out to other professional and semi-professional instructors.

### **HealthCare & Full Recreational Facilities With Liberal Access**

Due to the exceedingly long periods of incarceration that more and more women are subjected to, their health concerns are of greater importance. It is in this context that we subscribe to the importance of holistic medicine, that is the treatment of the whole person with a focus towards the prevention of nutritional and mobility imbalances and resulting illnesses. We suggest the following remedies:

#### **Remedy 2 T**

- I. That there be immediate building of full outdoor recreational facilities, tracks, fields and courts included within the bounds of every regional prison so that every FSW may access these on a daily basis. Furthermore that fully equipped gyms be added to every regional facility where there are none; all FSW to also have access to these at every available opportunity outside of work and lock up hours.
- II. That study materials, instruction, workshops and seminars be made available with regard to, but not limited to Nutrition, Herbals and Supplementals, Kinesiology, Exercise, Meditation, Yoga, Tai Chi, Sports & Medicine, Stretching and Strength Training, Aerobics and Distance Running, Tennis and Golf.
- III. That all western bio-medical and/or psychological exams, procedures, treatments and testing be conducted wherever possible by women professionals
- IV. That both in emergencies and non-emergencies of medical, dental and mental health decisions, that the FSW involved will be assisted by the community member of her choice with which to be counseled concerning informed consent
- V. That annual and/or other scheduled examinations be scheduled and conducted without delay e.g. Mammograms, pap smears, chest x-rays, dental check-ups and procedures, etc.
- VI. That medications and pain medications be as available as would be in the outside community
- VII. That any complaints and/or grievances with regard to medical/dental/mental health concerns be copied upon the written request and permission of the FSW involved to a woman's organization for monitoring.

In order to promote better understanding of the contributions toward good health that different cultures have assembled, and the dearth of educational and experiential opportunities afforded many FSW, we suggest the following:

**Remedy 2 U**

- I. That different cultural organizations be sought after to share their styles of cuisine and health remedies by conducting workshops in the preparation of and study of their food and remedies. E.g. Aboriginal, Chinese, Ukrainian, French Canadian, West Indian, East Indian, etc.
- II. Materials and transportation costs to be born by the CSC

<b>LEGAL RIGHTS</b>
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In 1985 the enactment of section 15 of the Constitution of Canada gave FSW hope that now the CSC would comply with the law and provide imprisoned women with programming and facilities equal to those provided for men. Instead they did the opposite and in fact aggravated the circumstances of the incarceration of FSW. Knowing that few women were serving long sentences coupled with the understanding of how simple and easy it is to intimidate women many of whom have little knowledge of the law, the CSC continued to imprison women under extremely harsh conditions with devastating consequences to FSW.

When the Charter of Rights and Freedoms was entrenched in the Constitution of Canada on April 17, 1985 the CSC quickly dismantled the central decision making authority of National Headquarters. They said this change would give more authority to regional managers so that decisions could be made more quickly. Their “decentralization” strategy created more authorities with more separate rules and regulations - more smoke screens to disable equality challenges. The CSC simply state that each region has its own authority and decision making capacity and in this way attempt to dismantle their legal obligations to provide equality in treatment. With prisoners involuntarily transferred from region to region via the “midnight express” many are unable to obtain new counsel licensed to practice in that region as well as one familiar with those regional directives. Poverty and the differential availability of legal aid resources province to province must be addressed if prisoners are involuntarily transferred. Since it is the CSC who decide to take these actions, it must be the CSC who funds the ability of prisoners to appeal these decisions as per CCRA sections on the guarantee of fundamental rights for prisoners in Canada.

And supplemented by Section 7 of the *Canadian Charter of Rights and Freedoms* which guarantees the "right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice".

Because most FSW are either more incapable and/or lacking knowledge of how the legal framework is applied in the arena of imprisonment and/or more fearful of correctional repercussions (coerced reluctance) for doing so, than men are we seek this Commission’s Assistance as follows:

### **Remedy 2V**

A mandatory provision that legal services for all FSW where their s.7 liberty interests are at stake will be paid for by the CSC.

### **Remedy 2 W**

We acknowledge and agree with the Remedies as submitted by SIS member, Sarah J. Rauch, LLB as well as the Remedies submitted by all other legal professionals acting on behalf of FSW in this complaint.

<b>Minority Groups of FSW</b>
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The demographic study of Canada shows that the increase in immigration has also led to more non-Canadians incarcerated in Canadian prisons. Many of these people use English as a second language and in many cases their understanding of English is very poor so that their requirements for translators is immense. How can programs and housing be provided for such a vast diversity in culture and language? The only possible way is through community initiatives that fund various minority groups to provide social, cultural, educational, vocational and housing options.

### **Remedy 2 X**

- I. That each woman's cultural and language needs be assessed and that every applicable community organization be contacted from which a funded community worker may be enlisted to provide support, guidance and assistance on a weekly basis such that the assistance in maintaining family and community ties be enabled.
- II. That language-specific media and entertainment be available on a weekly basis. The funding for this proposal should be born by CSC.
- III. That the National Organization of Immigrant and Visible Minority Women of Canada (NOIVMWC) be ongoing consultants

We are also very naturally concerned with the rights and the needs of women considered to be "disabled."

### **Remedy 2 Y**

We defer to the submissions of the DisAbled Women's Network (DAWN) of Canada and wish to offer our support and agreement with their submissions and remedies.

#### **Mothers and Families**

Not the least are considerations for the rights of the children and families of imprisoned FSW. They cannot be overlooked. Task Force members along with all women's organizations recognize that generations of future prisoners could be lessened with meaningful support to mothers in prison. We offer the following:

### **Remedy 2 Z**

- I. That all imprisoned women with pre-school children be granted three-hour, daily visiting rights in an area separate from other visiting areas. This special area

- would include facilities for play, both indoors and outdoors, changing and feeding and rest areas and would be open only to the child, the person accompanying the child and the mother
- II. That funding be awarded to community groups who can provide transportation for these special visits
  - III. That a funded Special Family Advocate be appointed by/from CAEFS to assist all women in prison with any difficulties that she may encounter in any of her parenting and/or relationship efforts
  - IV. That women in prison be encouraged and assisted in their efforts to provide gifts to their children, to have photographs taken, and to participate in their children's school activities wherever possible
  - V. That parenting skills and child care training be provided to any woman who seeks better understanding in this demanding arena and /or who may seek career training in this field.

### **Safety of FS Women**

We end this section to begin the next with the ever present fears of harm done to our sisters inside. The existing CAC structure does not protect our sisters since its members are hand-picked by the wardens in each prison. The only way we see our fears being somewhat allayed, given the knowledge that we all have with regard to structures that have inherent within them, severe imbalances of power, are the following:

### **Remedy 2 ZZ**

- I. That a National Community Board be established to have representation from each of the five regions in Canada and that it receive an equivalent amount of funding as that put forward to the Citizens' Advisory Committees.
- II. That members of this board be nominated from the justice, feminist and spirituality-based organizations whose advocacy on behalf of women in prison have already been demonstrated. This Board must include women who have experienced and/or are experiencing federal imprisonment.
- III. That this board's primary purpose will occur prior to any use of violent means (mace, cell extraction by ERT, forced strip searches and/or invasive body searches) by security personnel to act as interveners on behalf of FSW through conciliatory discussions between members of the prison population, the prison administrators and security personnel
- IV. To ensure the rights of regular conciliation in unresolved grievance areas
- V. To ensure the rights of regular audit over funds expended and funds incoming in areas, not limited to the Prisoners' Welfare Fund, programs and "cottage industry" income and expenditures, and hobby craft sales
- VI. That this board will meet on an annual basis with the Office of the Correctional Investigator
- VII. That this Commission appoint a Steering Committee in this regard

## Aboriginal FSW

We defer to the expertise and research of Trish Monture, the Native Women's Association of Canada (NWAC), the Aboriginal Women's Action Network (AWAN), the Assembly of First Nations (AFN) and all other Aboriginal teachers, elders and groups' submissions and support their recommendations and remedies with regard to this Human Rights Complaint on behalf of all FSW in Canada.

In addition to the Remedies we have requested in our submission - Part VI, for FSW and Aboriginal FSW and those put forward by other National Women's Equality Seeking Groups, we request the following specific remedies for Aboriginal women:

### Remedy 3 A

- I. Immediate **acceptance of all security classifications** of Aboriginal FSW into the Okima Ohci Healing Lodge in order of application and family/community proximity.
- II. Immediate construction of a **Healing Lodge in BC** for Aboriginal FSW and for any FSW other than Aboriginal upon the agreement of the Aboriginal FSW. This Healing Lodge to be **open to all classifications** of FSW on a trial basis as per I.
- III. That the right to be housed in any Healing Lodge should not be determined on the basis of performance outside of the Healing Lodge, that all women must first be given the opportunity to abide by the standards as set out by the Aboriginal elders of the Healing Lodge facility. Only violent and/or dangerous actions will be the acceptable reason for denial. All decisions must carry the right to appeal.
- IV. That any internal prison records concerning discipline and/or negative reporting should not accompany the woman to the healing lodge in order to provide her with a necessarily unbiased response by staff and an equal opportunity for healing and self-realization alongside her sisters.
- V. Immediate construction/contracting of minimum security Healing Centres for FSW similar to the Elbow Lake Facility for FSM, to be available in each of the 5 regions

Aboriginal FSW require all of the Remedies we have requested but additionally require many to be specifically instructed by, counseled by, conducted by, maintained by, advised upon by Aboriginal experts in each field, preferably Aboriginal women.

*As a former director of the Toti:lthet Centre in Mission, B.C. once said, "The issue of Aboriginal education needs to be kept at the forefront of correctional thinking." Aboriginal counselors, healers and educators must be funded to provide Aboriginal-specific education and life skills both inside the walls and for prisoners returning to their communities.*

What happens inside the walls is even more important for Aboriginal women since it is they that are abused the most; it is they who are the least prepared and able to withstand the lengthy incarceration within cramped and confined quarters; it is they who need relief

in the way of physical freedom from restraint with fresh air exercise; it is they whose minds and hearts are most affected by the extremes of punishment imposed upon them, - they are physically, mentally, emotionally and spiritually punished more.

In order to enable them any semblance of healing and preparation for possible reintegration, Aboriginal women must be granted specific opportunities. Of particular importance are educational and vocational areas specific to Aboriginal women such as liberal access to the following:

***Remedy 3 B***

- I. Facilities, equipment and qualified instructors for full Aboriginal Life Skills training to include, but not limited to carving, drumming, beading, leatherwork, sewing ceremonial clothing and street clothing
- II. Funded Spirituality Ceremonies, Activities and Components
- III. Funded Community In Reach and Out Reach Programs
- IV. Funded Peer Support In Reach and Out Reach Programs and Facilities
- V. Funded Legal Services
- VI. Funded Childcare and Parenting
- VII. That every regional prison across Canada, including any place that incarcerates FSW immediately grant a protected and separate Spiritual area so that women may have daily access to First Nations' elders and a separate and private meeting place for the Sisterhood Groups
- VIII. That sweat lodge participation and Pow-wows be honoured as the spiritual observances that they are
- IX. That under no circumstance will attendance for spiritual guidance from an elder and/or sweat lodge participation be construed to be a "program" which can be denied by prison authorities for any reason
- X. That all funding for First Nation's Spirituality and programming be protected from administrative appropriation or decrease, by ensuring that Trust Funds will be provided by a Ministry outside of Justice and/or Solicitor General and further that all accounting for use of these funds will be completed by the attending First Nations' elder or the First Nations' community liaisons, accountants and/or legal counsel.
- XI. That a life contract with the Native Women's Association of Canada be mandated to oversee all aspects of the incarceration of First Nations' Women and that similar contracts be awarded the women's organizations selected by the Metis women and the Inuit Women should they desire another organization's representation.

*Once released from prison, the Aboriginal FSW must have the choice to further her education in an Aboriginal setting. In the community, Aboriginal specific components must be available:*

***Remedy 3 C***

- I. Aboriginal Housing Initiatives for FSW with and without their children to include:

- Transition houses, Community Placements, Halfway Houses, Satellite Apartments
- II. Residential Treatment Facilities to heal from Drug and/or Alcohol Dependency
  - III. Funded, staffed drop-in centers in each region to house archives, films, books, etc and to serve as a meeting place that can also provide evening venues for discussion, showings, readings, peer support, counseling and education to youth groups, street people and community activists for interaction and supports.

There are specific opportunities open to Aboriginal women such as:

**Film and Writing Seminars to be coordinated with Community educational certificated programs**

Capilano College -two year course for Aboriginal Film & Television Production Training Program  
 Native Education Centre- program for Digital Video productions.

**How I learned about the Film Program**

I profiled jobs, shelter etc. for public affairs at CFRO 102.7 FM. At the request of the Native Education Centre, I found others interested in participating in a trial run class for Digital Video and along with other friends, we enrolled in the 4 month course: Sept. – Dec. 2000. After completing this course I was referred to Capilano College for the next step: a first time ever for Aboriginal Film & TV Productions course.

**Where I took the Program and How long it was Scheduled For**

At Capilano College in North Vancouver, my daughter and I went on to the next step: Aboriginal Film & TV Productions training - a 4 month course May-August, 2001 that required a 4 week practicum. We graduated together (smiles gigantic). Having passed with above average grades, I was then referred to the next step a first ever trial run for Aboriginals with mainstream in Advanced Motion Picture Directing, Producing and Script Writing. After an interview I was accepted for the September to March 2002 program and passed that with above average grades. The course has since been cancelled for revisions. It is to begin again sometime in 2003 and canvassing for students will occur on a national basis.

**The Fee Structure and How it was Paid**

For the 1<sup>st</sup> step at Native Education Centre -Digital Video, all the students were processed by HRD grants: ACCESS, administrated by the United Native Nations (UNN) out of the Aboriginal Friendship Centre office space. The HRD grants can only cover one year and though the course was only conducted for a few months, it is considered the maximum amount of funding. Actually, the grant should state that it covers only one course or one year, whatever occurs first!

The 2<sup>nd</sup> step at Capilano College was an 11 month program called a 2 year course. The 1<sup>st</sup> year title: Aboriginal Film & TV Productions Training Program, which runs May-August. The 2<sup>nd</sup> year title: Advanced Motion Picture-Director, Producer, and Script

Writer, which run Sept. 2001-March 2002. The fee was \$5,000 for each section. I applied for coverage from my DIAND home band office in Nanaimo, BC. When referred for the 2<sup>nd</sup> year section of studies, I reapplied to the band office, which also covered my living allowance for the terms. I also received a bursary award (non-repayable) from the Student loan and Millennium fund Bursary.

**The Results in terms of Certificates that can be used to further Educational and/or Career pursuits (How I can use this training to earn a decent living)**

- A) Digital Video and Film & TV Productions were certificate courses.
- B) Advanced Motion Picture was diploma course.

From education to career development, to earn a decent living is a step by step process and one needs to work hard to complete each step. For both TV & Film Directing and Producing you must have a mentor to start under. You cannot start on your own. A professional within the industry is always available for mentorship and is a must within the industry in order to enroll in membership with the Motion Picture Directors Guild. With TV our graduates may enlist with the national directory at CBC for access to people for hire canvassing.

Offers are out there: CBC is covering my proposal with a short documentary about my work, which will be aired the end of Feb. It profiles Chief Arvol Looking Horse. CTV-1<sup>st</sup> Story is a first nations program that is interested in covering this special guest while here in Vancouver on tour with me. Movie offers appear very possible as well, both in Canada and in the USA. I have received offers of part time jobs for mentorship in Directing and Producing. These are hard earned mentorships; you have to be out there constantly.

Although I can't be on either TV or Film sets until Feb. because of a broken leg and broken wrist and need a 6 week healing process along with a doctor's letter for clearance to cover the insurance policies/risks on set, it gave some time to sort out other details for my work force goals. I am told the pay rate is \$400.00 day for a TV Producer.

For Motion Picture Director, the pay is \$800.00/day when you are on the set. Much of course depends on your own energy and abilities. You must be willing to get out there and sell yourself. You must breathe it, smell it, - your desire to be in the business and create films – even when you're sleeping. It's the only way to succeed – you must tackle the entire issue if you want to create what you want to create from your own self.

How the Film Program increased my Self-Knowledge along with more Knowledge and Understanding of my own Peoples, their Values and Future.

I had to re-program myself first – to leave my home. It was quite a difficult thing to do – to leave the only safety that I knew. The grandson and youngest daughter (like the older ones) hid my shoes! I have worked so long in the home that the little ones were very uptight about me going out to school. They could not comprehend that I had to leave. So, I never left the house until they had gone to school and then raced home to get there before they returned from school. They finally accepted that I was a student -very

cautious about me being away from them. I don't think the other students had this kind of dilemma in their face, but my family's felt their security threatened. And the little ones need that much more assurance when I finally get home after long hours on the set. More adjustment is necessary and I am still figuring out how to adjust time for their school, my school, work and social lives etc.

Although the little ones did extra work with me, performed with me, attended National Art school with me, having only a single parent their entire lives showed me the paranoid places my little ones faced when away from me. While they like the \$\$\$, the grudge is still there, a 'how dare I separate myself from them' attitude.

My people - the native community are overall supportive and anxious for me to begin filming. The documentary requests never seem to end. It will take much work to facilitate, to portray the voices of the native people in all fields of service delivery. Professional TV producers tease me -that I will be a threat to their jobs when I get out and about. It's a real compliment to me. The stories told by, with and for our people will present our points of view to the world, to the community, to the mainstream and will be a crucial factor in the required adjustment of attitudes and knowledge about how our people have been and are treated, viewed etc.

**How I see a program of this type could be incorporated inside the walls to continue outside the walls and into the community.**

It could take the route that we took to co- found a native film and TV headquarters in Vancouver.

This kind of program inside would be a great doctor, for enhancing communication skills. Not everyone will have the talent to expose his or her emotions. However, everyone has a story to tell. The emotion is captured and in TV and film, that is the essence of capturing the audience, handling and portraying the emotion through the lens.

Legends, myths, realities can and should be utilized for this type of discipline. The billion dollar industry will have lots of jobs to offer even if the storyteller is not within all of us. Each woman could do what she feels most comfortable doing -editing, for the one ranger, sound for those musically inclined, camera for those in that capacity. The branching out from within the walls to the outside community would be a natural.

Like waking up each new day, film-making creates excitement to boldly go where you haven't been to before. Each individual is part of the team. Team work is the essence, as well for all disciplines. The team as a whole makes the story deliverable. When one spoke of the wheel is out of whack then the rest must wait until each does their part. Assistance is always available for each department. Trying out each phase in the making of a story from writing to delivery level is a great venue that can awaken each to their own expertise and strength or weakness for that matter. That is good because when we learn our weaknesses, we create the ability to work on them or to adjust to a better field of strengths within the discipline.

**How a funded drop-in Centre, centrally located could provide a safe and productive venue where these films/books, etc. could be seen/ discussed to promote better community understanding and cohesion towards peaceful and productive lifestyles. Yes, of course, we use the words that many want to hear, but also the words that have real meaning for us, as women. I.e. Productive does not only mean to produce kids! (smile) or to earn \$\$\$ (smile) but means also to help others and ones self to utilize the talents and energy within us in order to give thanks to the Creator for this life.**

Funded drop in centres with native funding goals are all over town. Not all of them let the native community access these places. Lots are harboured and you would never know that some of the facilities are specifically for native peoples' use.

The ability to create an audience for viewing films, video projects, and book readings are always available. And as is with everything else we have to fight to access these routes.

Creation for peaceful and productive lifestyles is always the battle in any community, family, self etc. The talent to draw out talent in the community is a unique position to be in. Energy within a positive atmosphere gives help to so many of our people who have self withdrawn -so deeply. Like myself, so much of past assaults, sex abuse, exploitation to name a few of the maiming of my person, has created huge scars to live with and to confront and deal with on an internal basis. Many of my past secrets reveal themselves many times a day, watching, listening to someone else deal with issues.

It was through years of travel with the sacred bundles of the War Chief Leonard Crowdog, while working for the betterment of our people before I was able to offer thanks to the Creator for the sacred gift of another breathe, another life to care for, that came from such abusive relationships. The grandson introduced me to a new view of love of life itself. The suffering my children witnessed, having to live with the father of my children and his slough father who abandoned him- that harnessed my security of creating a better life for them, and brought me a stronger outlook towards a good life. Now we go to the Long House elders, and back to the Sundance Chief circles to keep on a good level with the good and stay away from the anger, and rage - fear that is so deep within.

## “Treatment” vs. HEALING

Figures from the CSC Report on Plans and Priorities 2000-2003 (RPP), tell us that CSC had a budget for 2002-2003 of \$1.3636 billion dollars. The dollars spent are categorized under “Business Lines” as follows:

Care	\$	155,600 Million	11.41%
Custody	\$	624,300 Million	45.78%
Reintegration	\$	454,200 Million	33.31%
Corporate Services	\$	129,500 Million	9.50%
Total	\$	1,363,600,000 Billion	100.00%

We know that from 59% -61.5% or over \$92 million was expended on salaries and benefits. If over 33% or over \$454 Million dollars are spent on Reintegration and we know that there are only 4 halfway house beds available exclusively for FSW west of Ontario, no supports in the community in the form of community correctional centres, educational and/or vocational programs, no short term or long term housing and no community correctional centers specifically for FSWomen, where is this \$\$\$ spent? Why is there no money spent on Women when women’s tax dollars contribute up to 50% of the CSC budget?

Our accounts should be given the same weight as eye witness testimony in a court of law. Since the closure of P4W, by all accounts of those who have lived there, the situation has at best, not improved for federal women, and at worst, has degenerated to the point where maximum security women are living in similar conditions to the first 4 federal women prisoner’s in Kingston Penitentiary in 1835.

The prison programs, facilities and experiences that I attribute to my “success” do not exist in the 5 new regional prisons for women or the 4 maximum security units in the men’s prisons. In P4W there was a traveling fund for families who lived far away from P4W. I don’t believe such a fund exists anymore even though women still live in prisons that are often too far away from their families for visits. This is especially true of the maximum security women who live in men’s prisons in isolated regions of Canada far from major urban areas.

There was also a “little house” in the middle of the P4W yard, the house for Private Family Visiting where prisoners could spend days with their families outside of the prison. There are NO fully equipped industrial woodshops, industrial sewing machine shops, computer processing departments, full size gyms, large open prison yards with quarter mile tracks in any of the medium or maximum women prisons.

There are no free university or college degree courses available to prisoners anymore. There are no halfway houses for women west of Ontario, and there is only one minimum security prison for women in Canada and the CSC is planning on closing even that one in the spring of 2003.

Now that P4W is closed and the CSC has spread the prison population into many smaller prisons, they use this fact to justify the claim that they have no money for job training, incest/sexual abuse counselors, or more minimum and halfway houses yet unbelievably...or NOT, the CSC still comes up with millions of dollars for building new maximum security units on the existing women's prisons and has tripled the number of women it keeps behind bars over the past 10 years. The question of whether there is discrimination against women within the Canadian prison system in 2002-2003 is almost irrelevant when one knows that discrimination has only intensified since the closure of P4W in 2000 which was ostensibly done to improve prison conditions for women.

### **“Cottage Industries”**

FSW need jobs. Though many have talents and have taken courses, their records often block their way to decent lifestyles. Particularly if they have children to support, then, the necessity of earning income is paramount. FSW can be terrific Peer Supports for others formerly incarcerated. There is tremendous potential for women to come together under a form of cooperative living/working arrangement so that they can work towards economic independence.

Funding Initiatives could specify the parameters for application. They could be modeled upon and/or incorporated with cooperative housing and/or on the Israeli kibbutz farms. The educational, training and production basics could begin inside the prisons with packaging and marketing done outside. Earnings by women inside could be held in trust funds available only to the woman who has earned the funds. In this way she would have a way to save money and have a start for both her and her family when she is released. This could be the beginning of new communities for Aboriginal women and their families, for FSW who have been incarcerated for so long that they cannot possibly survive alone on the streets of an urban centre.

### **Classification**

We are all aware of how the CSC has put FSW on the slippery slope of logic, how those considered having “high needs” have somehow become “high risk.” This particular trickery has never been corrected by Corrections. It remains an obscenity that the CSC continue in their claims that placement of women in separated and segregated units in men's penitentiaries is justified. As the blatant disregard for the just treatment of FSW is escalated with the building of super-max, special handling-like units for women in the regional prisons, the CSC compounds this with its intent to close the only minimum security prison for women in Canada (versus the 30 minimum security prisons open for men).

### **Aboriginal Prisoner Projections**

It is also an obscenity that the CSC is projecting a huge increase (spelled “j o b s - w i n d f a l l” ) in the numbers of Aboriginal men and women that will be incarcerated towards the years reaching 2010. The CSC reach this conclusion due to the increased birth rates.

The Aboriginal population is expected to retain a youthful demographic profile, one where younger members continue to form larger segments of the population (particularly in the Prairies). Close to 35% of Canada's Aboriginal population is less than 15 years of age, compared to 20% of the total Canadian population.<sup>16</sup> The Aboriginal demographic poses perhaps the biggest challenge to the justice system, since younger age groups show a greater propensity for crime than older groups. **The relative youth of the Aboriginal population suggests that Aboriginal people will continue to be disproportionately represented in the criminal justice system.** The problem is exacerbated by the poor social and economic conditions in many Aboriginal communities....The percentage of Native offenders in federal custody climbed from 12% in 1994 to 17% in 1998-1999, while the total number of admissions to federal custody decreased slightly during the same period.<sup>19 11</sup>

Please, let us work together to disprove their forgone conclusions that Aboriginal men and women will not be educated, will not find a good means of support, will not form lasting and healthy relationships nor build strong families and communities but will continue to be harmed, to be without the needed counseling, education and training, will continue in the cycles of disenfranchisement and poverty leading to imprisonment.

And conversely, if indeed this large increase in the numbers of Aboriginal people incarcerated over the years until 2010 is realized, certainly the need for more Healing Lodges and Aboriginal-specific programs, counseling and community services will also be required and should be budgeted for immediately.

Of the total men and women imprisoned as of March, 2001, 17.1% were Aboriginal, however Aboriginal women accounted for 23.4% of the total women serving federal sentences (90/385) yet there is only one Healing Lodge for FSW, one which the CSC keeps more-than-half empty!! One needs only to look at their own research:

**Healing Lodges were reporting a re-offence rate of 6% for Aboriginal offenders completing their sentence at a healing lodge. When compared to the national rate of 11% for all offenders in CSC, it is indeed a positive sign<sup>12</sup>**

One might easily conclude that perhaps the CSC is guilty of more than over classifying Aboriginal women, perhaps they are guilty of a form of genocide and want to remove Aboriginal women permanently from their communities, perhaps the suicides of so many Aboriginal women in their "care" is the only release that the CSC, as representatives of the government of Canada, will permit. If we are wrong in our conclusions, then why is this "positive sign" not read and acted upon?

### **Recidivism**

In the May, 2002, Volume 7, No.3 report by the Dept. of the Solicitor General, on "The Effects of Punishment on Recidivism" the results of 111 studies of over 442,000 offenders were utilized to answer the question, "Does the punishment of offenders reduce their re-offending?"

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<sup>11</sup> Scan 2000 / **CORRECTIONS IN THE 21ST CENTURY** Strategic Planning and Integrated Justice Directorate. Corrections Directorate, Correctional Service of Canada. MARCH 2000

<sup>12</sup> [http://www.csc-ccc.gc.ca/text/prgrm/correctional/abissues/know\\_e.shtml](http://www.csc-ccc.gc.ca/text/prgrm/correctional/abissues/know_e.shtml) -Aboriginal Facts & Figures

**“Answer:** The overall findings showed that harsher criminal justice sanctions had no deterrent effect on recidivism. On the contrary, punishment produced a slight (3%) increase in recidivism. These findings were consistent across subgroups of offenders (adult/youth, male/female, white/minority).

**Compared to community sanctions, imprisonment was associated with an increase in recidivism.** Further analysis of the incarceration studies found that longer sentences were associated with higher recidivism rates. Short sentences (less than six months) had no effect on recidivism but **sentences of more than two years had an average increase in recidivism of seven per cent.”**

The question is begged, if longer sentences and harsher punishment increase the recidivism rate does the harsh punishment of women increase job security for those working in the arena of the imprisonment of women? And furthermore, does this not then determine a concrete basis for a serious conflict of interest in the area of corrections? How can one expect that those whose high-paying jobs are dependent upon keeping large numbers of people inside prisons could be in the slightest manner, sincere about providing programs and conditions of confinement that will help women to successfully integrate and thereby not recidivate “...by actively encouraging and assisting offenders to become law-abiding citizens,...”<sup>13</sup> ?

In Basic Facts 2000-2001 the CSC states:

**How do corrections and conditional release contribute to the protection of society?**

Almost all offenders will eventually return to the community. Therefore, in addition to ensuring their separation from society when necessary, the Correctional Service of Canada's focus is on the eventual return of most offenders to the community and preparing them to do so in a law-abiding manner. The greatest protection that can be offered to the community is to assist the offender, throughout the sentence, to change his or her criminal behaviour and to learn to live by the rules of society. **This preparation includes programming to meet specific needs, and opportunities to demonstrate progress, through transfers to reduced security or conditional release including temporary absences, work release, parole or statutory release.** In any correctional or conditional release decision the protection of society is the paramount consideration.

Yet, 20-24 women are held in Sask.Penitentiary for Men where some have never even seen their Correctional Plan or ever been given **any** opportunity to gain lesser security. The CSC, however, have no problem in confirming that for FSW they need do nothing.

The majority of correctional programs have been developed on the basis of research with men offenders.

The CSC rationalizes their ongoing discrimination by assuring us that,

The Correctional Service of Canada is continuing its work to ensure the effectiveness of its programs for women. Over time, this may result in the redevelopment and/or further modification of programs.

Our experiences and reams of literature over the past 70 years prove that the CSC has no intention of voluntarily correcting themselves or their “programs” for FSW. They continue to take all of the time they want to further obfuscate any cruelties imposed on FSW. Despite the countless efforts of excellence by women’s organizations such as CAEFS to have programs and conditions implemented that will actualize benefits for FSW, the situation both since the 1989 Task Force on Federally Sentenced Women

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<sup>13</sup> Mission Statement, CSC 1999

(TFFSW) and the 1995 Arbour Inquiry along with the final closure in 2000 of the Prison for Women in Kingston- has worsened. FSW are in crisis.

We do not exist in a vacuum. Prisoners do not exist in a vacuum. However they are expected to obey inane rules and regulations, though these same rules and regulations do them increasing harm be it physical harm, by way of restraint or be it psychological rape by way of strip searching intended to disrobe and disarm the natural protectiveness and strengths inherent in personal identity. Is it not a bit insane to think that any woman existing within concrete walls and floors can ‘adjust’? Adjust to degradation? Whether or not the woman has remorse over her crime, when she walks into a prison, in a very, very, short while her crime and her remorse will be forgotten as she faces the immediate threats and difficulties of attempting to exist within a dehumanizing, demoralizing, degrading system of uniforms and regulations. Even if a woman is treated as if she has no personal worth or identity she will continue to struggle, she will continue to fight against the oppression that she knows is there even if she cannot name it. We honour these struggling women and we are here to speak for them.

In my view, if anything emerges from this inquiry, it is the realization that the Rule of Law will not find its place in corrections by “swift and certain disciplinary action” against staff and inmates. The absence of the Rule of Law is most noticeable at the management level, both within the prison and at the Regional and National levels. The Rule of Law has to be imported and integrated, at those levels, from the other partners in the criminal justice enterprise, as there is no evidence that it will emerge spontaneously (Arbour, 1996:180).

**The Rule of Law is absent, although rules are everywhere (Arbour, 1996:181).**

How possibly, can women achieve any justice in the correctional arena except with a new resolve to urge that the Canadian Human Rights Commission make the strongest possible recommendations, in what has been a long, long road of abuse and discrimination by the CSC against FSW in Canada. We look to this CHRC to uphold the laws of Canada, to find in favour of the complainants and to make such recommendations that will both satisfy the past and current abuses and perhaps, more importantly, will prevent similar abuses from occurring in the future.

The phone call I received from a woman held in Sask.Pen for men was one of the most alarming I have ever had. In her quiet voice but with the strongest bravado she could elicit, she said, **“They are standing around me with billy clubs to my head. They think I am afraid of them. How can I be afraid of them? They only have billy clubs. In Kingston, they held guns to my head.”**

*We reiterate how in the current climate of the arbitrary removal of many civil and human rights, how favourable remedies bestowed upon the most disenfranchised of all groups in Canada will assuredly reflect favourably upon every Human Rights endeavor in the future. When the lowest rung of the ladder is raised, so therefore are all of the rungs of the ladder raised.*

We beg this Commission to uphold the legacy of the Canadian Human Rights Act. 1976-1977, to propose entirely new remedies in recognition that nothing done before has worked, that there is no alternative but to employ entirely new and revolutionary recommendations in order to stop the human rights abuses of women.

**Action from principle, the perception and the performance of right, changes things and relations; it is essentially revolutionary, and does not consist wholly with anything which was.** <sup>14</sup>

Certainly the 1948 UN Council has mandated this Commission to do that very thing:

***Article 8 Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.***

In conclusion a quote from Chief Arvol Looking Horse,  
founder of World Peace & Prayer Day:  
A call to all nations to heal / June 21<sup>st</sup> / mother earth for our youth  
***MITAKUYE ( MY RELATION)***

World peace & prayer Day has become a reality for thousands of people around the world, many honoring their Sacred Sites. Woplia, a great thank you! After completion to the four directions we return to the center, "Heart of Everything that is, "Paha Sapa," the Sacred Black Hills. I ask that the people continue to unite all over the world, our prayers will enlighten our spirits and heal our Mother Earth.

In our Sacred Black Hills it is time to heal our hoop by honoring our youth and children who have been adopted, stolen or lost. They must come home. Those participating are asked to bring a gift for giveaway. Part of healing is to give and receive. There will also be runs, walks, and horse rides bringing staffs or different Nations to the event, moving in

<sup>14</sup> Thoreau, Henry David. On the Duty of Civil Disobedience. Harper and Row. New York. 1958:258

CSC Website ref. Charter of Rights and Freedoms

As in other areas, the *Charter* has had a profound impact in the protection of human rights in the field of corrections. Since its enactment, there have been an unprecedented number of court challenges to decisions of correctional authorities, and as a result a number of advancements have been achieved. For example, the common law principles of natural justice and the duty to act fairly have been magnified; cruel and unusual treatment or punishment has been interpreted more broadly; offenders have the right to be represented by counsel in serious disciplinary matters; the Private Family Visiting Program no longer discriminates on grounds of sexual orientation; and offenders have meaningful legal remedies when their rights have been denied or infringed upon. In a trilogy of cases in 1985, (*R. v. Miller*; *Cardinal v. Kent Institution (Director)*; and *Morin v. National Special Handling Unit Review Committee*), the Supreme Court of Canada confirmed that offenders, while denied their absolute liberty, retain a wide range of rights and freedoms.

prayer for the support of our sacred hoop and our future generations. Protocol for the gathering of our Sacred Pipes will be respected.

Please create a gathering in your community, no matter what belief in the Creator  
-UNITE GLOBALLY TO HONOR AND HEAL ALL LIFE.

May peace be with you all Mitakuye Oyasin (all my relations)  
*Chief Arvol Looking Horse*

19<sup>th</sup> generation Keeper of the Sacred White Buffalo Calf Pipe.

## **Remedy 1 –Community Related Initiatives**

**1 A** – The provision of community correctional centers &/or community placements, halfway house/alternate housing via private home placements/satellite apartments in each region across Canada specifically for FSW and/or FSW and their children with each placement being in private/single accommodation

**1 B** - Ensure funding of legal counsel for all FSW with regard to all parole hearing representations

**1 C**- Ensure assistance with parole paper progression to result in no missed parole hearings due to inability to complete paper work and to gain the earliest possible release opportunities

**1 D** –Access to Pass Programs and Related Opportunities via

-Paid expenses for Volunteer Escorts,

-Implementation of Funded Community In-Reach-to-Outreach-Workshops

-Implementation of Funded Community Work and Housing Research Projects

**1 E** - Psychological and/or Healing Counseling and/or Treatment by a woman professional when Requested by FSW in the community

**1 F** – Link educational and vocational programming inside the walls to ongoing programming in the community

**1 G** – Funded ongoing community-based certification programs in both educational and vocational areas

**1 H** -That a funded national network of Drop-in Centres be developed with the goal of providing services and training for FSW in each region; to be staffed and operated by advocates for FSW and formerly incarcerated FSW.

## **Remedy 2 – Inside the Walls**

### **Facilities**

**2A** Construction/Contract separate Minimum Security Facilities in every region for FSW

**2B** That the CSC cease and desist their current practice of keeping medium security classified women under maximum security conditions by ensuring that housing and programs truly reflect their medium security status.

### **2C**

**V.** a moratorium on the construction of any new medium or maximum security prisons.

**VI.** Immediately transfer the “maximum security women” held in the men’s prisons to the medium security prisons which have adequate static security as well as security procedures to deal with any situation already

**VII.** The immediate Dismantling of excessive maximum security units in favour of the restoration of the principles of the Creating Choices by:

## **Remedy 2 – Inside the Walls**

### **2C**

- VIII. Renovating the units to accommodate Fully Equipped Hobby/Woodworking/Vocational Shops, Child-Care Centres, Computerized Study Centres, and/or Library Centres

## **High Needs FSW**

### **2 D**

- IV. Permit only those FSW assessed by professionals such as Dr. Rivera to be assigned for specialized treatment and/or be held in “structured living units” and **only** for treatment by and for a period designated by psychiatric professionals, not by employees of the CSC and only upon agreement by the women involved so as to equate the legal definition of “informed consent”
- V. Furthermore to deter the CSC from over-classifying FSW with mental health needs, that any such classifications/re-classifications be subject to review by independent psychiatric professionals, and
- VI. Immediately convert the extra units for educational, vocational, recreational, social, hobbycraft and/or family visiting-specific purposes.

## **Segregated Confinement in Men’s Penitentiaries**

### **2E**

- V. The immediate transfer of all FSW from the confines of men’s penitentiaries to medium security units in the regional facilities until
- VI. The determination of what the prison years that they served under the extreme conditions of deprivation would be equivalent to, if served under humane conditions; with this determination to become
- VII. The relief from future imprisonment and the immediate release into community placements via a release program approved by the CAEFS
- VIII. Compensation for each FSW in an amount to be determined by this Commission and multiplied by the number of years of this abusive confinement

## **Sexual Orientation Discrimination**

### **2 F**

- III. We ask this Commission to uphold the rulings of the court and order the CSC to desist any and all practices that discriminate on the basis of sexual orientation, to strike any and all rules and regulations that prohibit behaviour and habits that in Canadian society are lawful, and
- IV. to rescind any order which demands that FSW dress like CSC employees do. In public arenas a dress code may be acceptable, however in other areas of any prison in Canada such as prisoners’ recreational areas, there can be no justifiable order to “cover one’s navel” and no legal order to prevent ‘same sex’ relationships and/or private family visits.

## Remedy 2 – Inside the Walls

### Family & Community Contact

#### 2G

- IV. That previously described “privileges” of visits, telephone calls and correspondence be determined by this Commission to be Prisoners’ Rights.
- V. That any disciplinary infraction other than a criminal conviction of the visitor and/or correspondent occurring as a result of that visit and/or correspondence should not impede future visits and/or correspondence with other visitors and/or other correspondents.
- VI. Furthermore, in particular for those prisoners without family and/or community support, each prisoner so identified must have the right to equal opportunities to support by developing and choosing the peer supporter of their choice, someone that they know to be both reliable and trustworthy so that they do not feel helpless and more threatened by correctional staff during lock-downs, segregation and/or transfers.

#### 2H

To stop immediately the restriction of PFVs for FSW so that they may enjoy PFVs at the same frequency as those available to FSM. – i.e. now told can’t have 72 hours every 2 months

#### Ability for Visitors

- 2 I** Provide Visitor Transportation
- 2 J** Provide Affordable Visitor Accommodation
- 2 K** Permit reduced rate telephone plans
- 2 L** Initiate prepaid postage abilities

### Inreach, Volunteer, Community Workshops Plus

- 2 M** Provide funding for transportation, workshop supplies, seminars

### Education and Training Programs

#### 2N

Immediate Contracting with Educational and Vocational Providers linked to Outside Continuing Educational/Vocational Training and Job Opportunities in consultation with the Canadian Federation of University Women (CFUW).

#### 2O

- VI. Prisoners’ Committees- the lack of time left to complete the six month term of office shall be the only legitimate reason to deny any FSW her candidacy
- VII. No institutional direction and/or interference in the affairs of Prisoners’ Committees, Lifers’ Groups and/or Native Sisterhood Groups

## Remedy 2 – Inside the Walls

### Education and Training Programs

- VIII. Each group will have one or more liaisons/sponsors from the community who will attend each meeting. A copy of the minutes of each meeting shall be provided both to the group to keep within their records area and a copy to the liaison(s) who will maintain a duplicate records area outside the prison. Confidentiality of membership and individual member statements will be essential.
- IX. Each group will have one or more representatives who shall have the right to communicate independently and directly with their chosen liaison from the outside.
- X. Each group will have the right to communicate with other similar groups in other federal prisons across Canada

#### 2P

*Free provision of University level course material such as*

- III. *Critical Thinking*
- IV. *Women's Studies*

#### 2Q

- I. Fully Equipped Vocational Shops and Hobby/Craft Shops on site or Access to similar shops in the community and reinstatement of programs like **Women in Trades**.
- II. Contracted, qualified instructors for vocational and hobbycraft areas or Access to same in the community

#### 2R

- V. Access to paid for university level course material and instruction.
- VI. Computerized study areas provided
- VII. Library research enabled in order to complete assignments
- VIII. Paid Tutor assistance

#### 2S

We recommend that wherever possible that contracts with formerly sentenced FSW be sought after in conjunction with tenders put out to other professional and semi-professional instructors.

### *Health Care and Full Recreational Facilities*

#### Remedy 2 T

I That there be immediate building of full outdoor recreational facilities, tracks, fields and courts included within the bounds of every regional prison so that every FSW may access these on a daily basis. Furthermore that fully equipped gyms be added to every regional facility where there are none; all FSW to also have access to these at every available opportunity outside of work and lock up hours.

## **Remedy 2 – Inside the Walls**

### ***Health Care and Full Recreational Facilities***

- II That study materials, instruction, workshops and seminars be made available with regard to, but not limited to Nutrition, Herbals and Supplementals, Kinesiology, Exercise, Meditation, Yoga, Tai Chi, Sports & Medicine, Stretching and Strength Training, Aerobics and Distance Running, Tennis and Golf.
- III That all western bio-medical and/or psychological exams, procedures, treatments and testing be conducted wherever possible by women professionals
- IV That both in emergencies and non-emergencies of medical, dental and mental health decisions, that the FSW involved will be assisted by the community member of her choice with which to be counseled concerning informed consent
- V That annual and/or other scheduled examinations be scheduled and conducted without delay eg. Mammograms, pap smears, chest x-rays, dental check-ups and procedures, etc.
- VI That medications and pain medications be as available as would be in the outside community
- VII That any complaints and/or grievances with regard to medical/dental/mental health concerns be copied upon the written request and permission of the FSW involved to a woman's organization for monitoring.

### **Remedy 2 U**

- III. That different cultural organizations be sought after to share their styles of cuisine and health remedies by conducting workshops in the preparation of and study of their food and remedies. Eg Aboriginal, Chinese, Ukranian, French Canadian, West Indian, East Indian, etc.
- IV. Materials and transportation costs to be born by the CSC

## **Legal Services**

### **2V**

A mandatory provision that legal services for all FSW where their s.7 liberty interests are at stake will be paid for by the CSC.

### **2 W**

We acknowledge and agree with the Remedies as submitted by SIS member, Sarah J. Rauch, LLB as well as the Remedies submitted by all other legal professionals acting on behalf of FSW in this complaint.

## **Protection of Minority Interests**

### **2 X**

- IV. That each woman's cultural and language needs be assessed and that every applicable community organization be contacted from which a funded community worker may be enlisted to provide support, guidance and assistance on a weekly basis such that the assistance in maintaining family and community ties be enabled.

## Remedy 2 – Inside the Walls

### ***Protection of Minority Interests***

- V. That language-specific media and entertainment be available on a weekly basis. The funding for this proposal should be born by CSC.
- VI. That the National Organization of Immigrant and Visible Minority Women of Canada be ongoing consultants

### **2 Y**

We defer to the submissions of the DisAbled Women’s Network (DAWN) of Canada and wish to offer our support and agreement with their submissions and remedies.

### **Mothers and Families**

### **2 Z**

- VI. That all imprisoned women with pre-school children be granted three-hour, daily visiting rights in an area separate from other visiting areas. This special area would include facilities for play, both indoors and outdoors, changing and feeding and rest areas and would be open only to the child, the person accompanying the child and the mother
- VII. That funding be awarded to community groups who can provide transportation for these special visits
- VIII. That a funded Special Family Advocate be appointed by/from CAEFS to assist all women in prison with any difficulties that she may encounter in any of her parenting and/or relationship efforts
- IX. That women in prison be encouraged and assisted in their efforts to provide gifts to their children, to have photographs taken, and to participate in their children’s school activities wherever possible
- X. That parenting skills and child care training be provided to any woman who seeks better understanding in this demanding arena and /or who may seek career training in this field.

### **Safety of FSW**

### **2 ZZ**

- VIII. That a National Community Board be established to have representation from each of the five regions in Canada and that it receive an equivalent amount of funding as that put forward to the Citizens’ Advisory Committees.
- IX. That members of this board be nominated from the justice, feminist and spirituality-based organizations whose advocacy on behalf of women in prison have already been demonstrated. This Board must include women who have experienced and/or are experiencing federal imprisonment.

## Remedy 2 – Inside the Walls

## Safety of FSW

- X. That this board's primary purpose will occur prior to any use of violent means (mace, cell extraction by ERT, forced strip searches and/or invasive body searches) by security personnel to act as intervenors on behalf of FSW through conciliatory discussions between members of the prison population, the prison administrators and security personnel
- IV. To ensure the rights of regular conciliation in unresolved grievance areas
- V. To ensure the rights of regular audit over funds expended and funds incoming in areas, not limited to the Prisoners' Welfare Fund, programs and "cottage industry" income and expenditures, and hobby craft sales
- VI. That this board will meet on an annual basis with the Office of the Correctional Investigator
- VII. That this Commission appoint a Steering Committee in this regard

### Remedy 3 Additionally Aboriginal Specific

#### 3 A

- VI. Immediate **acceptance of all security classifications** of Aboriginal FSW into the Okima Ohci Healing Lodge in order of application and family/community proximity.
- VII. Immediate construction of a **Healing Lodge in BC** for Aboriginal FSW and for any FSW other than Aboriginal upon the agreement of the Aboriginal FSW. This Healing Lodge to be **open to all classifications** of FSW on a trial basis as per I.
- VIII. That the right to be housed in any Healing Lodge should not be determined on the basis of performance outside of the Healing Lodge, that all women must first be given the opportunity to abide by the standards as set out by the Aboriginal elders of the Healing Lodge facility. Only violent and/or dangerous actions will be the acceptable reason for denial. All decisions must carry the right to appeal.
- IX. That any internal prison records concerning discipline and/or negative reporting should not accompany the woman to the healing lodge in order to provide her with a necessarily unbiased response by staff and an equal opportunity for healing and self-realization alongside her sisters.
- X. Immediate construction/contracting of minimum security Healing Centres for FSW similar to the Elbow Lake Facility for FSM, to be available in each of the 5 regions

#### **3 B**

- XII. Facilities, equipment and qualified instructors for full Aboriginal Life Skills training to include, but not limited to carving, drumming, beading, leatherwork, sewing ceremonial clothing and street clothing
- XIII. Funded Spirituality Ceremonies, Activities and Components
- XIV. Funded Community In Reach and Out Reach Programs
- XV. Funded Peer Support In Reach and Out Reach Programs and Facilities
- XVI. Funded Legal Services

### **Remedy 3 Additionally Aboriginal Specific**

- XVII. Funded Childcare and Parenting
- XVIII. That every regional prison across Canada, including any place that incarcerates FSW immediately grant a protected and separate Spiritual area so that women may have daily access to First Nations' elders and a separate and private meeting place for the Sisterhood Groups
- XIX. That sweat lodge participation and Pow-wows be honoured as the spiritual observances that they are
- XX. That under no circumstance will attendance for spiritual guidance from an elder and/or sweat lodge participation be construed to be a "program" which can be denied by prison authorities for any reason
- XXI. That all funding for First Nation's Spirituality and programming be protected from administrative appropriation or decrease, by ensuring that Trust Funds will be provided by a Ministry outside of Justice and/or Solicitor General and further that all accounting for use of these funds will be completed by the attending First Nations' elder or the First Nations' community liaisons, accountants and/or legal counsel.
- XXII. That a life contract with the Native Women's Association of Canada be mandated to oversee all aspects of the incarceration of First Nations' Women and that similar contracts be awarded the women's organizations selected by the Metis women and the Inuit Women should they desire another organization's representation.

### **3 C**

- IV. Aboriginal Housing Initiatives for FSW with and without their children to include: Transition houses, Community Placements, Halfway Houses, Satellite Apartments; each placement to be private accommodation
- V. Residential Treatment Facilities to heal from Drug and/or Alcohol Dependency
- VI. Funded, staffed drop-in centers in each region to house archives, films, books, etc and to serve as a meeting place that can also provide evening venues for discussion, showings, readings, peer support, counseling and education to youth groups, street people and community activists for interaction and supports.



The instinct  
to wander on a  
proverbial desert in  
search of enlightenment  
is deep in everyone. When  
confused or troubled, most  
people seek open places.  
Cottagers walk to the end  
of their docks and stare  
at a luminous lake,  
letting the lapping  
water work its  
healing  
magic;  
in cities, people head for parks.  
Answers are not found there –  
they are, of course, inside – but  
a wide  
sweep of  
water or sky  
admits rationality.

-June Callwood, summer 1996

## **Affordable Housing**

### Building Capacity: Enhancing Women's Economic Participation Through Housing

Laura C. Johnson and Allison Ruddock,

Canadian Housing and Renewal Association

(Published by Status of Women Canada in September 2000)

This study examines whether affordable housing development and provision can be used to increase skill levels and employability for low-income women. The study reviews the broad literature relating housing and employment to increased self-sufficiency.

The researchers selected 10 case studies representing a range and variety of program models, target groups and geographic regions. The study used qualitative case-study research involving personal interviews with program managers and residents who had participated in housing-based employment support programs. Analysis of data yields the following conclusions, among others: Stable, decent and affordable housing can enable women to participate in the labour force. It does so by contributing to their self-confidence and self-esteem; teaching new and marketable skills; providing contacts, networks of support and mutual aid; facilitating training and education; providing financial savings and security of tenure through subsidized rents; and offering indirect and direct employment opportunities.

Housing communities are good places to support women's employment skills development, given the tendency for limited mobility and greater social and economic isolation among low-income women and residents of social housing.

Social housing communities can support residents' employment needs with such physical amenities as child-care facilities, office space and meeting rooms, community kitchens, transportation co-ops, workers' co-ops and tool co-ops.

Housing with employment supports can minimize the time-space constraints imposed on low-income women by their dual domestic and labour force responsibilities.

This study concludes that, at the most basic level, secure, quality housing is a prerequisite for women to upgrade their education, participate in training programs or enter the labour force. Providing opportunities for employment and employment skills development within housing communities can enhance economic participation.

#### Example of a Community Initiative Around Housing:

Community - University Research Alliances Partnerships in Capacity Building, Housing, Community Economic Development and Psychiatric Survivors

Website: <http://www.uwo.ca/fhs>

Lead Organization: The University of Western Ontario (London, Ontario)

Program Director: Dr. Cheryl Forchuk, Faculty of Health Sciences Tel.: (519) 685-8500

e-mail: [cforchuk@uwo.ca](mailto:cforchuk@uwo.ca)

#### Community Partners

University of Waterloo, Concordia University, Wilfred Laurier University, Margaret's

Haven, London East Community Mental Health Services, Can-Voice, London Health Sciences Centre, Mission Services of London, Western Ontario Therapeutic Community Hostel Inc., Victorian Order of Nurses(Middlesex-Elgin), Alcohol and Drug Services of Thames Valley, The Salvation Army Men's Hostel 3 year grant \$584,879.00

With the shortage of affordable housing across the country and the ongoing restructuring of the health care system, community-based agencies and advocates have been working to find adequate housing for discharged psychiatric patients or "psychiatric survivors," as some describe themselves. This project seeks to create, support and evaluate housing for these individuals as well as to promote understanding, at all levels of society, of the housing shortage they and other affected groups face.

In this project, researchers, social service professionals, community volunteers and the actual users of supported housing will collaborate to evaluate existing models of supported housing. This participatory approach to research will give a real voice to a marginalized constituency, enabling them to share their insights and opinions with community and academic partners and to develop working relationships within their own community. Based in London, Ontario, the project will serve as a valuable model for other regions.

Margaret's Haven Community Housing (London, Ontario) - this project provides housing for ex-psychiatric patients.

### **Co-operative Housing:**

Over the years, both the provincial and the federal governments have created programs to support the development of non-profit housing co-operatives. In addition to non-profit housing co-operatives there are a small number of "equity housing co-operatives". Housing co-operatives, like other co-operatives, are self governing organizations. Its members own it collectively. Not for profit co-operatives allow no financial gain on the membership shares and are not permitted to have investment shares. Equity housing co-operatives may permit some gain on shares.

Housing co-operatives provide homes that are secure, affordable and filled with a sense of community in a world that is becoming more impersonal. About a quarter of a million Canadians live in some 2,100 housing co-operatives found in every one of Canada's provinces and territories. These co-operatives represent approximately 90,000 households and have book value assets of over \$5.7 billion. They are found in downtown, suburban and village settings in every form imaginable: new apartment buildings, townhouses, infills, single-family dwellings and converted lofts. In a housing co-op members have the right to vote on the co-op's annual budget, which sets the monthly housing charges and determines how much the co-op will spend on property upkeep and other maintenance issues. They volunteer to help with co-op operations like painting, cutting the lawn, organizing social events, publishing a newsletter, clearing snow or helping neighbours do things that will help them continue to live independently in the community. About half of all co-op households in Canada pay a monthly charge geared to their

income. Government funds cover the difference between this payment and the co-op's full charge, based on certain eligibility requirements. Yet housing co-operatives still cost less to operate than other types of housing. According to a 1992 CMHC study of federal co-operative housing programs, co-operatives cost 19 per cent less to operate than municipal or private non-profit housing and 71 per cent less than public housing (owned by the federal or provincial governments). Most housing co-operatives are members of the Co-operative Housing Federation of Canada, a national apex organization which works with government on behalf of housing co-operatives and their members, coordinates group buying among co-operatives, and offers training and organizational development assistance to housing co-operatives across the country.

Non-profit housing co-operatives receive money from the government (federal and/or provincial) to help the co-operative subsidize a certain number of housing units. The housing charge for these units is adjusted to the income of the household. If a household qualifies for a subsidy, their housing charge is usually set at 25-30% of the household's income plus charges for utilities. A few housing co-operatives, called equity co-operatives, operate more like condominiums and the value of the shares increase or decrease to reflect the value of the building.

### **Non-Profit Co-operative Housing Programs:** **Federal Programs:**

#### Section 61 Program (formerly 34.18)

The first non-profit and co-op housing program began in 1973 and ended in 1978. Section 61 featured a 50-year mortgage at a fixed rate (8%) and a federal government loan, of which 10% was forgivable. The program was originally called the 34.18 program referring to the relevant section of the National Housing Act (which later changed to 61).

#### Section 95 Program (formerly 56.1)

Co-op homes developed between 1979 and 1985 were created under a program known as Section 95 (the section number refers to the National Housing Act). These co-operatives administer a subsidy received from CMHC. The number and size of subsidies available varies in each co-op.

#### Federal Co-operative Housing Program (also known as ILM)

The federal government funded the development of these co-operatives between 1986 and 1992. Rent supplement is cost shared with the province. Its best-known feature was the index-linked mortgage. This feature had two effects: 1) the co-operatives' monthly mortgage payments rise with inflation (less 2 per cent) even though costs were lower in the first few years. 2) the government's subsidy costs per unit were lower than under the 56.1(section 95) program.

Other features are: a minimum of 30% of the units must receive rent supplement. There can be up to 50% subsidized units. The remaining units must have market housing charges. Each year there are indexed contributions if they are needed to bridge the gap between economic and market charges in the first years of a project. Federal assistance can be reduced after the fifteenth year of operation.

An individual who wants to live in a housing co-op must first apply in writing and be accepted by the co-op's board of directors. Once accepted, they buy shares in the co-op. The co-op owns or leases the building. This share purchase, or the amount paid up on shares is returned without interest or appreciation when the member leaves the co-op as long as there is no damage to the unit or debts to the co-op. The cost of any damage is deducted from the shares.

Generally individuals who are members must live in the housing co-op. However, a housing co-op's Rules may provide that a limited number of units may be rented to non-members. In this case, the renter of a unit would be governed by the Residential Tenancy Act.

The new Co-operative Act modernizes a number of key areas of co-operative legislation that enable co-operatives to expand their access to equity capital. In particular, the new Co-operative Association Act reduces the minimum number of members required to form a co-op to three from five, and allows co-operatives to issue investment shares to non-members.

#### **Co-op Management:**

The majority of the directors must live in Canada and at least one must ordinarily live in province. Directors must be at least 18 years old. A co-op's Rules may allow up to one-fifth of the board members to be non-members so that investment shareholders or other interests can be represented. Section 79 of the Act sets out further qualifications for directors, and notes that co-operatives can provide for additional qualifications in their Rules.

British Columbia's new Co-operative Association Act, which came into effect on Jan. 31, 2001, allows organizations such as the government, a First Nation or a corporation to join a co-operative.

#### **Co-operatives & Investment Shares:**

An investment share is any share issued by a co-operative that is not a membership share. Investment shares can be used to raise capital by: allowing members to invest beyond their membership shares or · inviting non-members to invest, if this is permitted in the co-operative's Rules.

The members will always run the co-operative and non-member investors will have only limited rights to vote. Investment shareholders cannot vote on a matter requiring a special or ordinary resolution of the members. However, they may dissent on fundamental changes to the co-operative such as proposed amalgamation, sale or a move to another jurisdiction. They may also, at a separate meeting of investment shareholders, elect up to 20% of the co-operative's directors. Each investment share entitles the holder to one vote on these limited matters. Investment shareholders can be elected to the board if this is permitted in the co-operative's Rules. However, directors who are investment shareholders cannot make up more than 20% of the co-operative's board of directors.

While a co-operative can only have one class of membership shares, its Memorandum can provide for several classes of investment shares, which may be with or without par value. Not for profit housing co-operatives are not permitted to have investment shares.

**Community Radio Education Society,**  
**Vancouver Co-Operative Radio CFRO 102.7FM**

An integral part of Vancouver's arts, culture and media scene for the past 27 years, Vancouver Co-operative Radio is one of the few independent, non-commercial, community radio stations in Canada. It provides information that is not otherwise accessible, tells previously untold stories, showcases local artists and musicians, and covers issues and events from the perspectives of the social movements involved in addressing them.

Co-op Radio is a highly accessible community-building medium for some tens of thousands of listeners. With 30 hours of weekly multi-lingual programming, it provides a much-needed forum for the many diverse sub-communities within Vancouver and beyond. As evidenced by its 27 year history, over 300 volunteers and 20 000 members, CFRO plays a highly valued, widely utilized and unparalleled role in the city of Vancouver.

The signal is available via FM mono broadcast and cable radio transmission to the people of BC and northern Washington State. With an effective radiated power of 5,500 watts, we reach much further in mono than we would in stereo.

Co-op Radio is a non-commercial, listener-supported, and member-owned co-operative. Fixed Income membership rates are \$25.00 per year.

**Co-op Radio Volunteers**

Regular volunteer orientation meetings take place twice a month. There is one afternoon session and one evening session.

**Tasks and Jobs**

**Administrative help during office hours:**

Here at Co-op Radio we often have volunteers who come in to work at answering phones, sorting mail and other office tasks. Generally people make a commitment to come in at a specific time on a regular basis. Some come in once a week for three hours on a specific day, while others may work virtually full-time if they are on a temporary student or work placement.

**Archiving the tape collection**

Co-op has a treasure-trove of tape recordings that have been accumulated during our 22 plus years of broadcasting. The project of archiving these materials has remained on the back burner, but it is a definite possibility in the future.

### **Calling expired members**

Former members of Co-op Radio are often willing to renew membership in Co-op once we contact them. Calling out is too big a chore for one person, but can be worked on over time by a number of people. Even people who do not have access to our signal or time to listen to it support us because they support the concept of community radio.

### **Daytime Operators**

Co-op Radio broadcasts from tapes most afternoons between noon and 2:30 pm, and needs people who will monitor the control room. The volunteers will learn valuable broadcast studio skills and have a chance to fine-tune them. Though it would be nice to have some experienced operators available on-call, that is difficult because it is an afternoon shift, when many people are working. We need reliable people who will make a solid commitment for this kind of work.

### **Distributing the Listener's Guide**

The Listener's Guide is mailed to all Co-op members, and is also available for pick-up at many locations around town. Volunteers distribute guides when they come out every few months. We have set routes in Vancouver, but are always open to adding new locations. The guide is available at libraries throughout the Lower Mainland, but at few other outlets outside Vancouver city. Since Co-op is available province-wide on cable, we would like to have the guide available in communities with cable access.

### **General Publicity Help**

There are many ways a volunteer can participate in publicity activities. Postering is often done for special events, such as concerts. People knowledgeable about Co-op, generally members, can staff information tables or sell promotional merchandise at various fairs and festivals. Experienced writers or publicists may volunteer their skills in helping programmers write press releases or promote their shows in other ways, or may work with the staff publicist.

### **Mail out of Listener's Guide**

Every three months Co-op Radio mails out a new Listener's Guide to our approximately 2000 paid-up members. Volunteering for this activity is a fun way to get to know a bit about how the station works. The work is usually done in the afternoon to early evening.

### **Phone shifts**

Co-op Radio depends on the financial contributions of our listener- members. Many memberships are received during our fund-raising drives three times a year. Taking pledge calls is an easy way to help out and have some fun meeting programmers and other volunteers.

### **Program Information**

#### **Programming at Vancouver Co-operative Radio:**

The Brown Bagger is Co-op's noon hour public affairs program that often broadcasts

recordings and analysis of local events as well as re-broadcasting choice syndicated material. It would be great if more people could go out and record appropriate local events for broadcast.

Sometimes shows need more researchers, producers or operators. If you are interested in working on a particular program, please call the station when the program is broadcast and ask for the programmers. All programmers must be members of Co-op Radio. Call 684-8494 or 684-7561. Program application forms for new shows are available from the Program Coordinator during office hours, 10 am to 6 pm, Monday through Thursday.

### **Workshops**

Co-op Radio also offers basic and advanced training workshops On-Air, Studio B and Burning CD's some of these workshops are free to members and some are offered at a cost of \$25.00 per workshop.

#### **Co-op Radio Training Workshops:**

On-Air Controller Workshops are free to members. This workshop teaches how to run the studio soundboard, setting microphone levels, operating live call-ins, and playing pre-recorded interviews and music for the show. This workshop can be repeated as often as necessary.

Studio B Productions Workshops are offered to members at a cost of \$25.00 per workshop.

#### **Example: Film Production Mentoring**

In 1996 **Joint Effort** facilitated a Video Production Workshop at the **Burnaby Correctional Centre for Women**. The workshop ran two days a week for four weeks and was attended by thirteen prisoners, the majority of these women were federally sentenced. Videographers and filmmakers from the Galiano Island Film and Television School (**GIFTS**) came in as mentors. The objective of the workshop was to teach production skills such as script writing , camera operation, lighting, sound, cinematic story telling and editing. The women worked in two groups, each group producing one video that was written directed and acted by the members of that group. None of the women in this project had ever been involved in this type of activity before, at the end of the project many expressed that this project was the most incredible experience they had ever had. The projects budget was \$1,000.00

#### **Information About Gulf Islands Film and Television School (GIFTS)**

**The Gulf Islands Film and Television School (GIFTS)** is a media production training facility on Galiano Island, BC. Students live and work at the school in weekend, one-week, or month-long sessions. Sessions are organized by age group (12-14 yrs., 14-19, 19+) and genre (drama, documentary, etc.).

GIFTS emphasizes independent production, hands-on training, and respect for the creative process.

GIFTS is registered with the Private Post Secondary Education Commission, and a member of the Canadian Film and Television Producer's Association.

GIFTS empowers new media makers. We give our students confidence in their own creative vision and break down the technological and financial barriers of media production.

A central feature of the GIFTS curriculum is our emphasis on helping students become media artists, not just cogs in a huge entertainment industry. Our focus is on independent, do-it-yourself rapid production. The result is an outpouring of creative energy and dedication that surprises nearly everyone who visits the facility or views our students' movies. That's why our students have such a good reputation in the industry: once they've been to GIFTS, they know how to work long, hard hours, how to trust their instincts and how to troubleshoot on a tight schedule. They leave here with a sense of independence and confidence that allows them to get to work on a project with clear goals.

GIFTS courses are all intensive sessions where students work in small teams on projects that are entirely theirs. Every student works on all aspects of their production and leaves with a video of their completed project.

### **Mentorship**

We don't rely merely on rote instruction and exercises to teach. We hire mentors on the basis of real-world experience as independent producers, their ability to work closely with people, and calmly manage a stressful schedule. Mentors are assigned to work with a team (3 – 6 students) on their project throughout the week, and function as a kind of managing producer: guide, expert resource, timekeeper, and facilitator.

In addition, there are mentors for story development, media literacy, technical issues, and sound (in most courses). Our low student-staff ratio is one of the best, and necessary for a successful immersion experience.

Most of our courses have no prerequisites. Any interested individual may come to GIFTS. However, our courses are not for beginners only: we have many returning students, especially for our weeklong Media Intensive Program.

We also offer freedom from financial barriers. Although media production is typically an expensive activity, we have kept our fees as low as possible, and offer the best education value in the industry. We also have a variety of financial support options for students, such

as our bursary program run in conjunction with the Access to Media Education Society, our various scholarship programs, fund- raising advice, and special discounts. GIFTS welcomes students with a wide variety of physical, social, and mental abilities.

Since its inception, over 1200 teenagers and adults have experienced GIFTS' innovative 6-day media production intensives. Together they have created a total of over 700 videos--including dramas, documentaries and classical and computer animations--from the initial script right through to the final screening! The work produced in this ideal environment has captured the attention and support of the likes of The BC Ministry of Education, ICBC, The National Film Board, IBM, The Directors Guild of Canada, BC Film and the Union of BC Performers. TV Networks are also keeping an eye on what's gong on at GIFTS and are regularly airing student productions. The calibre of the videos is also reflected in the over 100 awards that GIFTS productions have landed at national and international Film and Video Festivals in the last four years.

The doors of opportunity that GIFTS are opening don't stop here. On the strength of the work produced at GIFTS, numerous grads have gotten into film programs at universities across the country, landed jobs at the BBC, CBC and WTN. Students are now also selling their student productions to web casters.

#### EXCERPTS FROM:

Breaking The Links Between Poverty and Violence Against Women: A Resource Guide

Family Violence Prevention Division Health Canada 1996

Researchers and writers: Jane Gurr, Louise Mailloux, Dianne Kinnon, Suzanne Doerge

### **WORKING WITH WOMEN LIVING IN POVERTY ON VIOLENCE ISSUES**

#### Strategies and Initiatives

##### Introduction

Increasingly women who have experienced violence have needs that are related to a lack of adequate income. It is more and more apparent that women cannot start the process of healing unless they can put food on the table, a roof over their children's heads and clothes on their backs. To be truly effective, energy and time must be spent helping women to find affordable housing, access legal services, deal with transportation issues and obtain family benefits and other services to which they are entitled.

As they struggle to address the multiple needs of low-income victims of violence, agencies and organizations are recognizing the need for more collaborative approaches. Many communities have established inter-agency coordination to address violence and poverty issues more effectively. Members of these groups and coalitions have developed protocols, implemented policy changes in their organizations, offered training and established new programs to increase women's access to services. They have also tried to

ensure that their initiatives are more sensitive to the reality and needs of various communities.

Women's organizations have entered coalitions to advocate for low-income single-parent families and abused women - adequate, affordable and safe housing; appropriate levels of government assistance; and public transportation systems - and have mobilized to push governments into action.

Here are some examples of initiatives and strategies that are making a difference, largely because they are designed by low-income women or by groups that have taken the time to understand the reality of poverty and abuse.

### **Outreach:**

Lachute, Quebec is a city of 11 000 people. With the closing of several factories in recent years, unemployment is quite high. Violence and poverty are a reality that many women share. The local women's centre, Carrefour des femmes du Grand Lachute is a women's centre that has been addressing these issues since it opened in July 1983. Less than one year after it opened the centre, it responded to women's needs by opening a women's shelter. A few years ago, the centre took the bold step of relocating to a social housing complex. This move took two years of negotiations with the government because laws on social housing prevent its use for purposes other than shelter. The centre is a member of the board of the social housing complex. A major advantage of the centre's location is that low-income women feel at ease there. Participation is four times higher since the centre moved to its new location. However, the centre recognizes that risks are associated with being located in a social housing complex. It is important to be clear that the centre is available to all women without regard to income. The centre offers a variety of programs that meet the diverse needs of women. They have found that women tend to go to activities that are able to meet their needs, regardless of their level of income. When dealing with poverty and violence, the centre focuses on the most urgent need. Often, a woman's most immediate need is feeding her family, so the centre has established a food bank and a program to supplement the diets of pregnant women with eggs, milk and oranges. It is managed by the participants themselves.

Carrefour des femmes du Grand Lachute also has a small clothing and equipment counter and a day-care for children up to 6 years of age, which operates four days a week at a cost of 50¢ an hour. Centre staff also offer counseling in budgeting. Emergency care is provided for children when their mothers need a break and do not wish to rely on government childcare agencies. Again, the fee is minimal, at \$5 per family. Every Thursday, women are invited to make a meal together. It is an occasion to share with other women in similar situations. The centre addresses violence through various activities and programs where women can regain a sense of control and develop their autonomy and self esteem. It also helps them identify their skills and the resources around them. When they have done a certain amount of personal development work, several women often move on to a training program, to upgrade their education or to participate in committees at the centre. Contact: Carrefour des femmes du Grand Lachute

### **Providing information About Accessible Services:**

Women in the disabled community have had to do a lot of awareness raising about the many barriers faced by women in using services related to violence. The Ottawa-Carleton Independent Living Centre started a project in 1992 to help violence-related services in the region become more accessible to women with disabilities. With the help of survivors of violence and women with disabilities, it developed a resource guide for women in abusive situations. The guide provides descriptions and phone numbers of many services, such as shelters, police, crisis counseling, emergency transportation, attendant care, legal advice, welfare, day-care and support groups. It is written in simple language using large print and is available in alternative formats such as Braille, audio cassette and video tape.

The project also involves outreach to women with disabilities to make the guide available, and outreach to other service providers in the violence network and community organizations to help them identify and eliminate barriers. Outreach to service agencies has included reviewing the policies of three area shelters and conducting training with shelter staff. Contact: Ottawa-Carleton Independent Living Centre

### **Improving Women's Employability:**

Improving women's ability to get a job greatly enhances their independence and their ability to change or leave an abusive situation. Opportunity for Advancement (OFA) has offered group programs to low-income women in Metropolitan Toronto and the Region of Peel since 1974.

OFA offers: a community mental health program for women under stress; a pre-employment program for women living in poverty; and a violence against women program (currently being piloted).

OFA has developed step-by-step manuals describing the content and theoretical foundation of these groups, successful methods for building self-esteem and how to facilitate effective, realistic decision making. OFA stresses the voluntary nature of its programs. Potential participants are informed of the programs through an extensive outreach process by women who have completed the program. They contact other services that low-income women use, such as public housing authorities, a variety of social and community services, welfare workers, and doctors' offices.

Participants range from 19 to 55 years of age. About 45 percent of the participants are born outside Canada or are visible minority women. The average education level of participants is Grade 10, but the range extends from no formal education to post-secondary levels. Participants are often experiencing personal and family problems, such as:

- conflict with the law;
- being victims of assault as adults or as children;

addiction to alcohol or drugs;  
extreme poverty;  
barriers to accessing needed programs or services;  
isolation, depression and high stress levels;  
lack of adequate knowledge of community resources; and  
needing help to identify goals and make effective decisions.

OFA programs for low-income women are founded on the belief that a set of interconnecting psychological, social, economic and cultural factors are at the root of the problems women experience. They emphasize the need for both community and individual action and for changes in policies and structures as well as in individual patterns. As a result, OFA staff work with program participants to identify, discuss and act on the social and economic roots of their problems. Contact: Opportunity for Advancement

### **EFFECTIVE JOB TRAINING FOR SURVIVORS OF VIOLENCE**

Provide free child care and transportation.

Offering a training allowance and supplying training materials free of charge reduce the burden on the women.

Remain open to examining what you do, why you do it, and how well it works by listening to the voices of program participants. Respond to their needs and concerns.

Budget for outside counseling on a long-term basis. Free services are usually available only for a short time.

Canadian Council on Social Development 1995/1996, p.7

### **Operating a Thrift Store:**

Leaving an abusive relationship often means leaving everything behind. Starting a new home is costly. To help women along, the Women in Need Thrift Store was set up in Victoria, British Columbia. Anyone can shop at the store, but residents of transition houses are given credits which they can spend as they wish in the thrift store. They also receive free household "start-up kits" from the store. The store collects donated household goods and buys new household items as needed, which are packaged together for women setting up new homes after leaving a shelter. Social Services, which usually pays for new household goods on an individual basis, pays the store for the kits. Other than this support, the store receives no government funding. The store is staffed by volunteers, many of whom have been one-time residents of transition houses. Working in the thrift store is a way for them to get work experience and build self-esteem.

Not only is the store self-sufficient (including a coordinator's salary), but it has made enough money to run a personal development course, open to all women, that helps build self-esteem and provides practical support to women making significant changes in their lives. Contact: Victoria Women in Need Society

### **Moving from Victim to Advocate for Change:**

Advocacy and collective action is a logical next step for many women who are healing from abuse. Empowering women to change not only their own lives but to bring about change in the conditions that affect them is a critical long-term strategy to ending violence against women.

Located in northeast Edmonton, the Beverly Centre is one of nine city communities and family service centres that are working in partnership with other organizations in Edmonton to address violence and poverty issues. The centre has pioneered a three-phase program called Making Connections to help women move from being a victim to being a survivor, and then an advocate for social change. Making Connections takes women through different stages of change. Initially, it guides participants in understanding abuse and in analyzing the impact on their lives (Phase I - Challenging Ideas); moves to how they feel about being abused, including grieving for their losses (Phase II - Freeing Feelings); and ends by developing a plan of action (Phase III - Advancing Actions). The third phase involves mutual training and practice in advocacy planning and other skills.

In Phase III of the program, participants are matched with a program graduate and a community member such as a police officer, a secretary or a psychologist who help to determine how she can best advocate for her needs, as well as for the collective rights of abused women. It may involve, for instance, examining how the system failed the woman and what she would recommend to correct the situation. Thus, the community joins with individual abused women to make each "private" problem a shared "public" issue.

Although it is not always easy to practice, it is important to recognize and continually challenge the traditional client/service provider relationship and transform it into a mutual learning experience.

The Beverly Centre also is a partner in sponsoring an evening drop-in program that provides support and advocacy. Abused women, program graduates and women who want to help stop woman abuse are welcome. Through the exchange of ideas and information, members are empowered to address legislators, policymakers, service providers and the general public. They also speak to future lawyers, psychologists, police, victim services, and medical and dental practitioners in training. By acting on their rights and responsibilities, they are helping to remove the short and long-term barriers to women's freedom from poverty and violence. And, by working together, they are helping transform the service provider and client relationship into a mutually beneficial partnership for social change. Contact: the Beverly Centre

### **A Non-Directive Approach to Counseling:**

Too often, women who have been abused are made to feel that they are responsible for the violence in their lives. As well, low-income women have often had negative experiences with people who judge them and subtly blame them for their poverty. As a result, low-income survivors of violence must re-establish trust with those around them before revealing their experiences and asking for help. The North End Women's Centre in Winnipeg has adapted a non-directive approach to counseling that has proven effective for low-income survivors of violence. Counselors offer comfort and safety to women and provide lots of opportunities to talk, but wait until the woman is ready to speak openly about violence or any other issues she wants to deal with. Most of the women who participate in activities at the centre live on low incomes and many are Aboriginal. For some, it takes years before they are comfortable talking about the violence in their lives.

In addition to counseling, the North End Women's Centre provides referrals to women's shelters and legal services, a drop-in meeting place, educational workshops, volunteer opportunities and information. One of its programs has gained recognition both in the city and beyond. Women work in groups to create and sew traditional and contemporary Aboriginal designs on colourful blankets, which are sold by the women. Women at the centre also worked together to decide what they wanted to say about violence and how they would design a quilt. This involved a lot of discussion about violence, and women began to open up and talk about their own experience. This breaks down isolation, and sharing begins the first step to healing. Contact: The North End Women's Centre

When you're living in poverty, survival is the number one thing. What women want is respect and practical assistance. What they need is to understand what's happened to them before they can make changes and move forward.

Marion Dubick

### **Meeting Women's Multiple Needs:**

Women living in poverty are often challenged to deal with a variety of needs and issues related to survival and change. Some organizations have tried to reduce the stress on women through a "one-stop" approach to services. Battered Women's Support Services in Vancouver is one such group. It offers counseling on violence issues, legal advocacy, support in accessing social service benefits and support for immigration procedures to women who are or have been in abusive relationships. The service is associated with a thrift store, started by former staff and volunteers, which provides abused women with free clothing and other household items. Contact: Battered Women's Support Services

### **Addressing Immediate and Longer-term Needs:**

Effective services for low-income women must address basic physical needs of women in addition to other more long-term needs. The women who live in Vancouver's downtown area go to the **Downtown Eastside Women's Centre** for a range of daily practical help

such as showers, hot meals, haircuts, telephones and laundry services. At the Centre they can also get longer-term support to find housing and employment, improve their health and access violence counseling services. All of the women who go to the centre are living in poverty. Most of the centre's clients are Aboriginal and the counseling program it offers follows a traditional method, which incorporates working on women's spiritual, emotional, physical and mental needs. The traditional method helps Aboriginal women to begin the journey on their healing path. In group counseling sessions, in which the women sit in a circle, they use an eagle feather to symbolize being connected to the creator and when they are holding the feather, it is their turn to speak.

Contact: Downtown Eastside Women's Centre

### **MEETING THE NEEDS OF WOMEN LIVING IN EXTREME POVERTY**

In 1992, with the help of the women who use its services, Sistering compiled a Women and Poverty Action Kit, to stimulate action against poverty. The following is an excerpt from the kit:

Women who come to Sistering showed us, through the study, that to break the cycle of poverty, their experience of sexual abuse and systemic re-victimization have to be understood and dealt with in a wide range of programs and services. They need:

#### **Community Acceptance**

Women need acceptance in a community as a first step toward the development of self-esteem and skills to take greater control of their lives.

#### **Support and Counseling**

Survivors of abuse want to be believed. They need staff in employment, housing, welfare, medical and legal services to know about the dynamics and impact of sexual abuse. Women limited by poverty, lack of education and cultural differences need a range of feminist counseling services. Many are not ready for group counseling and cannot afford therapists not covered by medical insurance.

#### **Information**

Survivors of sexual abuse want to know about the effects of medication, their rights, options and resources, why they have flashbacks. Women need to know the effects of sexual abuse.

#### **Economic Security and Jobs**

One impact of sexual abuse is low self-esteem, which makes it difficult to apply for jobs or gain access to training programs. Survivors need welfare and employment agencies to see their role as providing financial and training support. innovative, non-threatening job-

readiness programs that allow skills to develop gradually are needed.

### **Health Care**

Many doctors have no understanding of women's experience of violence. Women are disregarded, humiliated and silenced, overmedicated and over-psychiatrized. Women need health care that is proactive, responds to their health needs and understands the connection between emotional and physical well-being and the complex impact of victimization and poverty on their health. Contact: Sistering

### **CONCLUSION**

Poverty and violence are realities in too many women's lives in Canada. As the gap between rich and poor widens, and stable employment is harder to find, women living in or recently escaped from violent situations will be in even more precarious positions. To make matters worse, many of the programs designed to help low-income women, such as income supports, social housing, employment re-training, subsidized child care and emergency shelters, are being reduced or eliminated completely. All of us can and should do much more to ensure that all women live free from violence, that a low income is not a barrier to independence and that women from diverse backgrounds have access to the services and programs that will aid in their healing from abuse. So much can be learned from community agencies and low-income women themselves, who, despite daunting obstacles, are working together to resist violence and support each other.

Low-income women and their advocates are working in women's centres, social justice groups and anti-poverty organizations to address the injustice of poverty and violence. Immigrant and refugee women, Aboriginal women, women with disabilities, lesbians, rural and isolated women, young women and older women are participating in programs that address their real needs.

“Self-test for Borderline Personality Disorders”

-the SLS Health Treatment Services web site

Male Female

Age:

Choose Answer with one of the following:: Always Often Sometimes Never

1. Do your moods change frequently or unexpectedly?
2. Do you find yourself getting intensely angry with others very easily?
3. Do you have an addiction to drugs or alcohol?
4. Do you cut, burn or otherwise hurt yourself to relieve emotional numbness or pain?
5. Do you remember your childhood as being stressful?
6. Do you make impulsive or self-defeating decisions?
7. Are you afraid that people you care about will reject or abandon you?
8. Do you remember your childhood as being traumatic or abusive?
9. Are you uncertain about who you really are and what you want from life?
10. Do you feel empty or bored inside?
11. Do you sometimes become so stressed that you feel threatened or paranoid?
12. Do you feel that it is very dangerous to deeply trust other people

*Experiences of FSW with no vocational training while incarcerated, no depressurization in a minimum security facility with pass/work programs, no ability to save money to purchase transportation with which one can obtain a better job.*

***What programs, help was there for you when you were released ?***

none; none except medication prescribed by psych;

***First time, second, etc.?***

I've been on methadone for 10 yrs. Some programs helped like counseling, psych  
Linc ideology good but wrong person

What help would you have liked to have receive?( That you believe would have made a difference in your ability to stay out)

Don't know exactly but maybe an Intensive Residential Treatment Program since I was getting other programs but just not intensive or consistent enough to ready oneself for the outside.

Needed housing, appointments ready with Social Services, Think need at least 2 social workers affiliated with the institution – one for financial aid and one for family services. Need non-traditional programs for women – Women in Trades was good to illustrate what is there for women but now that program is cut.

Whenever possible have a job to go to when released.

How valuable have any of the halfway house programs been to you? Were they totally voluntary?

Fry-works was a great program, but –0- voluntary. Always a hook.

NOT. Had to agree to do if wanted to get support to get out: Haven't been to any yet.

***How important is it for you to have your own room in a halfway/ limited release situation?***

Space is VERY important. I NEED to have my own room.

Would be the best, but 1 roommate c/b acceptable if that's the only way to get out

***What would you recommend as alternatives to the kind of programs you took?***

Have never been out long enough to know.

Maybe no need for alternative, rather co-operative. Viable training is really needed. Why is training only about minimum wage jobs? – IF you can get one. Why can't women have carpentry shops, be taken on as apprentice plumbers, electricians, kitchen stewards etc.?

Would you become part of a group living/working situation if it could give you an independent income?

Yes, would become part of that.

Yes, it's a great idea.

***How long would you be prepared to be part of any such program/housing situation?***

As long as I needed it and it was working for me.

Approx 6 mos – 1 year

Do you think that young children could safely be housed together with individual women from prison?

With intense classification and supervision to start with. Child safety must come first.

Absolutely

***How did you find housing when you were released?***

Halfway house

It was a nightmare!

***How were you able to find work?***

Very lucky

Mostly I didn't work

***How did/does poverty affect you?***

Very hard to deal with. Most do not have great schooling, no work experience, or great self esteem, no money to get clothes, no transportation, not enough nutritious food, possible health problems, Hep A,B,C, HIV+. The first thing that the NPB and PO wants is to know when and where are you going to get a job. What a joke!

In every aspect of my life from obvious lack of material goods, food, etc. to self esteem/ drug use/criminal activity

*When I was released I was told that it was compulsory for me to attend counseling at a CSC office. I refused because again, I believed it was useless and a total waste of my time. I never believed that the people at CSC had any sincerity in wanting to help me but instead felt that they were looking for any reason to send me back to prison. I believed that their bias was deeply rooted and that I could not possibly receive any fair treatment. I hit rock bottom but then through my own deep desire to rid myself of drugs I searched for a sponsor that I could relate to in a positive way. She is with me to this very day.*

I was very damaged entering prison. The experiences there further degraded me and disabled me from fully appreciating or benefiting from any possible opportunities that might have been available. I did work as an electrical assistant and wanted to follow that up when I was released. But things fell apart pretty quickly. I still had not healed from things that had happened to me before I even went to prison. I returned to the only relationship I knew – one of abuse. When I tried to leave him I was threatened and when I finally got up the courage to leave, he stalked me for 2 years. I was afraid to go to my job or even to AA meetings because he followed me around so I stopped going to both.

I got into my share of drinking. After being locked away for so many years, it seemed perfectly natural to want to ‘get caught up’ on lost time. I remember my first rain storm...I laid down on the ground and let the rain beat at my body...it was amazing. I had not felt rain in years. The drinking was controllable. What wasn’t controllable though, is the fact that I came out with no skills...save the electrical, which I was forced into quitting, because my ex was stalking me.

I needed a lot of help but I didn’t know both how to ask for help and/or where to get it. Though E.Fry people were empathetic and seemed to understand there was no concrete support in the way of real alternatives. I should have left the area right away but that was never suggested to me and I assume it was because there were no resources to help me do that. Any resources available meant that I had to stay in the area where I would be in fear and where many of my worst memories were triggered.

Let’s face it, the main skills that I had acquired before going inside the walls were for basic survival. Since I did not gain any new real life skills when I was inside, I came outside angry, hateful, bitter, scared, lost, alone, terrified...at the basics.

On the first day of my release I went shopping with one of the workers from the house; I had what I called a panic attack, because the store was so brightly lit, and there was so many things there...that I ran for the door. How was I to know that now, instead of the mats at the door that you stepped on to get out, there were motion detectors?? No one seemed to think that an important obstacle. So, I was stuck in a grocery store, freaking out, because I couldn’t get out...I ended up going through the emergency door, which was worse, because as soon as it’s opened, the alarms went off. That was my first day out. It’s funny now...yet it helps me to realize that we take so many things for granted. And the women [and men] who are just being released haven’t a clue as to what’s changed...they

need guidance, and someone to help along the way...someone who's walked in their shoes. An ex-con, like themselves.

### ***Peer Support***

I believe that we are all teachers & helpers to each other, and had it not been for the many strong women inside the walls, and for my own desire to live, I would not be here today. I have maintained the friendships from within to without...and am still quite close to these many beautiful women. And we are all struggling with our own demons...be they poverty, ill health, drugs/addictions, whatever, the struggle continues. The very idea of coming into a community with absolutely no support frightens me.

And the very and only real support that I did have, were these women -women who have walked in my shoes. It's imperative that federally sentenced women, if they so choose, be allowed, and get paid, for being support to women who are either first released, or have been released for some time and are still in need of the support. It wasn't until a dear friend of mine asked me "Where do you see yourself five years from now?"...that I realized, that I did not see myself. I finally realized that I would be dead in five years - dead if I didn't get away from there and begin to make a life for myself. Which is exactly what I began to do.

### **Today**

Though I've taken courses on my own and left the addiction path I still struggle to make ends meet. I am now a single mother of two children, both beautiful, loving children, with no abuse in their backgrounds...and it is my prayer that this bliss will continue. However, as a woman with experience in counseling abused women and children, I need to point out that once it happens, it's imperative that there be support for all family members involved. However, it is equally important that the abuser not be there - that will not help. It will only hinder the healing process.

### **Poverty**

I'm usually below the poverty line since I'm self-employed and work at 3 jobs while trying to do other things that I feel necessary to my well being. I am 41 years old. I have lived in poverty all of my life. I know that our mothers and children need to have a guaranteed annual income to provide the basics. It would bring such peace to know that your children will have the proper clothing for winter... that there will be boots to keep your daughter's feet warm and dry...that you could have fruits and vegetables each and every day...that you yourself could eat a healthy meal, not just your children. That you would not have to worry about whether you'll be able to make this month's rent...and where will you go if you don't? Poverty affects me to the core...I live in poverty with all of the accompanying problems.

### **Reasons why I think I failed and became a repeat offender**

- 1)I was not prepared for the street-didn't know anything about the community I was going to, didn't know where places like manpower, welfare, the parole office, bank, bus routes, food banks, etc*
- 2)left jail with little cash, a duffle bag of clothes with no place to go, no job or schooling*
- 3)did not have any support*

4) *did not know things like what money looked like, how to use a bank machine, bus machine, new phones, computers, how doors open themselves...*

5) *I didn't have enough education or job experience*

6) *didn't have any hobbies or interests to do*

***Reasons it's still tough.....***

1) *there are big blanks in my work resume, I lack social skills, I can't be bonded, can't be honest about the past even if I wanted to be*

2) *it is very hurtful when people make comments that they don't realize hurt me because they don't know I have been in prison or know anything about my past.*

3) *people expect you to fuck up, and when things aren't going good, you feel like just doing what's expected of you*

4) *I always have to be careful around booze & drugs*

Because of my ability to learn basic woodworking inside and then having pass programs where I could increase my abilities, I finally got a job at a kitchen manufacturing company, Cataraqui Cabinets, in Kingston while still living in the halfway house. Within a year at this company I was making more money than men who had worked there longer than myself. I made all of their custom countertops. After another year, I started a commercial cabinet shop with a partner. We successfully acquired numerous commercial contracts and hired two full-time employees.

I also became proficient enough at sewing leather on the industrial sewing machines in prison that I was able to run a little cottage industry making leather clothing. Throughout my years in prison, the minimum and the halfway house, I was able to save up \$1,500 to buy a car without which I could never have held down my full-time job at Cataraqui Cabinets. This shop was located in the industrial area of Kingston township which is not easily accessible by public transit.

The existence of the Elizabeth Fry Detweiller Halfway House; the only women's minimum security prison in Canada, the Isabel McNeill House; the Freedom Farm woodshop; and the Kingston John Howard Society woodshop gave me the opportunities to go out on passes, get job experience and learn to live in the community. While I was still in P4W I was able to get unescorted passes from the National Parole Board because I was able to stay overnight at an Elizabeth Fry run halfway house only minutes from the prison.

After spending 6 months in the minimum, I was transferred to the E. Fry halfway house. Living at the inexpensive halfway house, gave me the opportunity to work at the low-paying John Howard Society woodshop. If these opportunities had not existed, I would never have been able to acquire the job skills, references, money to buy a car, a "real" job, and a safe place to live – all of which were prerequisites to my "successful" re integration into society as a self supporting citizen.

*I was so fortunate compared to most all of the other FSW released on day parole – especially those in BC. Since I was still under federal jurisdiction and imprisoned in a*

*men's penitentiary, I was able to join the Seventh Step Society and be accepted into their halfway house where I needed a bed for 3 years! There is no way I would have been released when I was if I was under provincial jurisdiction, housed in the BCCW. There are still only 4 beds for FSW and the house certainly doesn't want to 'tie up a bed for 3 years – in fact I was told it was not possible. I didn't want to go there anyway since I would not have had a private room. In the Seventh Step halfway house I shared the third floor with 2 other lifers who I already knew from Matsqui and all of us had our own private rooms. It was great.*

*I also had family and friends waiting for me along with a car. Learning to drive in a city where many streets were changed from 2-way to 1-way and where many of the former landmarks were missing –well, it took me awhile to get used to it all. I finished my degree on the SFU campus and that helped to provide a structure for me. I gradually earned more nights out from the halfway house and in my 3<sup>rd</sup> year I was out 5 nights and in 2 nights. I also had a job with a previous employer, though it was only on the phone in the credit department, it was better than nothing. I eventually started working for my son in the industry I had previously been employed in. It took 3 meetings with partners in the firm before they would accept me. Truly, the only reasons were the facts that my son was a very valuable employee and also paid half my wages, and that I had left the industry with a very good reputation.*

*But things change so much in 7 years. Population is so much greater. Shopping is a massive undertaking since one has no idea how much is the right amount to pay for anything. It took me over 2 years to feel that I really 'belonged.' And, even now after 10 years, though I'm out of prison, the prison is never out of me. When a lifer and over 50, it's nearly impossible to find a decent job. I am amazed at how many old friends stood by me over that horrendous time and how many wonderful new friends I've made because of my imprisonment.. I've been very fortunate but that is certainly not the case for most other FSW. Things don't seem to get easier for any of us but what has happened is the incredible and true sisterhood that remains among us all – a tribute to women, to our strengths and our hearts.*

**Processing Humans**  
by Gayle K. Horii

Melior est justitia vere praeveniens quam severe puniens  
"Better is justice which truly prevents than justice which severely punishes"(Peers 1996).

My experiences of imprisonment may be uncommon, but not the statutory minimum term of life imprisonment<sup>15</sup> that I was sentenced to when I pled guilty to second degree murder for killing my stepmother. The differences within the prisons and the conditions under which I survived my sentence provided the uniqueness and also informed my criticism of imprisonment. Reading the thoughts of Aristotle on *Equity* helped to make sense of my existence. He said, "to ask not what a {wo}man is now but what {s}he has always or usually been" (cited in Greenland 1987). I realized that probably less than five minutes of my life dictated my punishment, but it need not wipe out the woman I was for forty-two years subsequent to my particular madness and/or dictate how I live the remainder of my life.

Because of that crime, it may be difficult to accept my assertions that I should be granted human rights and that I could still maintain decent values. It is a most abstract conundrum, to wrap one's mind around the fact that a killer and/or prisoner could also be a good person. These are definitively contrarian pictures -- the 'self' and the 'not-self' coexist. The prisoner, however, at least presents a complete picture of herself -- an open window,-- in stark contrast to the duplicitous organizations of BC Corrections (BCC) and the Correctional Service of Canada (CSC).

For seven years I stumbled over the confusing mandates of various penitentiaries. I served my first thirty-three months from April, 1986 until February, 1989 under maximum-security custody, six months in a women's prison under B.C. provincial jurisdiction. I served twenty-seven months at the women's penitentiary, the Prison for

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<sup>15</sup> *Criminal Code of Canada, section 235*- with ten years served before eligibility for full parole

Women (P4W) and was the lone woman incarcerated in a men's low medium security penitentiary for two months and fifty months in a men's high medium security penitentiary<sup>16</sup>. I also completed three years on day parole in a men's halfway house, all under Canadian federal jurisdiction. On February 29, 1996 I was granted full parole and returned to live in the community.

In the first few months of my incarceration, a forensic psychiatrist asked me whether I understood just how mammoth the system was. I did not understand that his question was actually a suggestion that I not 'fight the system' as it was a fruitless aim. Accused of being self-centered or proprietary in my actions -- at the first red herring hurled to dissuade me, I pulled back, drawn into the accusers' scheme of distraction. However, I grasped a stronger and better-informed sense of what is right and eventually returned to pursue the argument. I realized that though there may not be a satisfactory outcome, I needed to see things through since the alternative of doing nothing was highly defeating and often self-deprecating. This was my real world dynamic and this is what I was committed to in the unreal world of prisons.

During the long ordeal of imprisonment I earned the label "political" because my interpretations of various rules and regulations were often contradictory to those espoused by guards and administrators. For example, I did not agree that the policy of segregating a woman who had slashed herself was compatible with their grounds used, "for the maintenance of good order and discipline in the institution, or in the best interests of an inmate"(CD 40.1.(a)(b) 1987),<sup>17</sup> since how could more punishment be the righteous response to a bleeding woman?

Had I been serving a shorter sentence, I may not have been quite as "political," but when serving life one is assured only of no definite release date. As each issue of depravity raised its ugly head I concluded the only choices I had were: struggle now, or struggle later. Paulo Freire (1982:33-34) captured my dilemma:

*The central problem is this: How can the oppressed, as divided, inauthentic beings, participate in developing the pedagogy of their liberation?...As long as they live in the duality in which "to be" is "to be like", and "to be like" is "to be like the oppressor", this contribution is impossible...The solution cannot be achieved in idealistic terms. In order for the oppressed to be able to wage the struggle for their liberation, they must perceive the reality of oppression not as a closed world from which there is no exit, but as a limiting situation which they can transform.*

Prisoners are automatically oppressed by the generic, absolute imbalance of power structured into prison systems. With no power, few uncoerced choices are available and that includes the choice to say, "No," which is the most terrifying consequence of being a

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<sup>16</sup> with the exception of Mary B. & Mary A. who were fasting in protest of their incarceration in the Spring of 1990 in Matsqui Penitentiary for Men, Abbotsford, B.C.

<sup>17</sup> 1987-05-01 *Administrative Consolidation Penitentiary Service Regulations (PSR)*. In 1992 this PSR was replaced by *CCRA. 31.(3)(a-c)* adding "and the institutional head is satisfied that there is no reasonable alternative to administrative segregation."

prisoner. As my friend, Karlene Faith(1990) said, "The power to act is precisely what freedom is about, and that includes the act of refusal." Knowing the hows, whens and whys of saying "No" is an exercise in embracing the authority within oneself. One must hold tightly to the rightness, embrace the inherent rights of one's position in the human family. Only with this constant reference as the basis can any efforts towards the elimination of cruelties imposed upon prisoners by the prison authorities be challenged and potentially eliminated. "In the law, rights are islands of empowerment" (Williams 1991:233). However, in practical terms it is only through claims under the *Canadian Charter of Rights and Freedoms* that there is any possible recourse.

Prisons are administered under acts passed by parliament. The *Corrections and Conditional Release Act* (CCRA 1992) provides the regulations, however these are interpreted by the CSC on their terms, using their methods, with impunity. The basic tools of the authorities, the Commissioner's Directives (CDs), the Regional Instructions (RIs) and the Standing Orders (SOs) should be mastered first by those intending to enter the fray. If Claire Culhane<sup>18</sup> were still with us, it would be she who could best conduct this effort. Claire understood the 'language of oppression' within these tools of authority.

Under law (CCRA section 98.1.2), prisoners in each penitentiary are entitled access to the CDs (Canada-wide regulations), yet they have no access to the more specific RIs or to the most pertinent interpretations, SOs, penned by their own warden for the control of the prison in which they are incarcerated. Prisoners may grieve their treatment with reference to specific CDs, however grievances are easily discounted. The final level of grievance is complete with Part III of the CCRA. Sections 57-198 are devoted to the description, functions and duties of the Office of the Correctional Investigator (CI), yet the Act itself gives the CI's office no clout.

*Neither the Commissioner nor the Chairperson of the National Parole Board is bound to act on any finding or recommendation made under this section (Part III 179.3).*

Even the CI can be refused a hearing by the CSC who will simply **deny** any wrong doing and paralyze any criticisms with tactical language designed to permanently block any requested solution. For example in a letter to the CI, the Commissioner of Corrections pointed out:

*the significant difference between our two perspectives, a difference I am increasingly realizing explains just how difficult it is for our two agencies to agree on what needs to be done in respect of the issues you report each year.*

As you finalize the report, we would want to know what changes are made to any comment that is critical of CSC or any of its employees...

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<sup>18</sup> September 2, 1918 - April 28, 1996. Prisoners' Rights Group (1975), Vancouver.BC. *Marlene Moore Award*, "for leadership in the field of community based programs in Canada, or for furthering the goals of deinstitutionalization, or for outstanding service within a community based program which has had significant impact on the lives of the individuals who have been helped" (Ontario Board of Parole ); "*Canada Volunteer Award Medal & Certificate of Honour*"; "*Member of the Order of Canada*", 1995. We miss her so. See her several books: *Why is Canada in Vietnam* (1972), *Barred From Prison* (1979), *Still Barred From Prison* (1985), *No Longer Barred From Prison* (1991). Also see Lowe (1992)

*I do hope that these comments will have an impact on the tone and civility of your final report (cited in Stewart 1995:113-114).*

When the "final report" was issued, the Commissioner of Corrections commented: "The Correctional Service cannot accept the general negativism of the Correctional Investigator's observations"(cited in Stewart 1995:116).

You can see why even the appointment of a woman CI to examine complaints by women prisoners cannot stop the many levels of violations of women inside penitentiaries. The CSC's appointment of Nancy Stableforth as Deputy Commissioner for Women (DCW) adds another deceptive layer. The DCW has no line authority and no wardens in any of the regional prisons for women must be accountable to her so that her "rank equivalent to that of a Regional Deputy Commissioner"(CSC 1997:1) carries no power. The wardens only "keep her fully informed"(CSC 1997:2). Her presence is simply another screen with which the CSC may block truth-seeking inquiries -- visualize the metaphor: the plexiglass partition designed by the CSC specifically to slide in front of Marlene Moore's<sup>19</sup> cage so that she could not throw her blood out as she slashed herself unmercifully.

This also underscores the unlikelihood that any Task Force or document like *Creating Choices* or Commission of Inquiry (such as Arbour 1995) could be expected to alter the course of cruelty inside the walls. No matter how well meaning and astute the investigators are or how well researched, witnessed and documented the incidents of cruelty are, a prison is a prison is a prison. The structure of authority that produces the oppressed and the oppressor alike<sup>20</sup> is the **key** to understanding the problem. Contained within this structure is the authoritative power to agendize language, simply another control mechanism. "To name is to know; to know is to control" (Paglia 1991:5).

The language of the oppressor, those reams of rhetoric and countless nice-nellyisms that effectively mask the barbarity of imprisonment hidden behind policies fronted by cardboard people and programs are tools of this structure which must be disabled. Overlooking the covert power of euphemisms becomes blind acceptance.

Without definitional challenge the CSC applies their "treatment," like the "involuntarily transfers" of women to men's maximum security prisons where they suffer the gamut of isolationism, like that which provoked three women to hang themselves<sup>21</sup> at P4W while the Task Force members met and consulted and the "treatment" two more women<sup>22</sup> 'enjoyed' before they 'strung up' while the CSC digested *Creating Choices*. Though the Daubney Committee recommended in August, 1988 "that the Solicitor General convene a Task Force on Federal Female Offenders" (Recommendation 96) it took the aftermath

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<sup>19</sup>Witnessed by myself November 24, 1988 in segregation at P4W. Nine days later, on December 3, 1988, Marlene choked herself to death in the prison hospital. See Kershaw & Lasovitch. (1991).

<sup>20</sup> Zimbardo's 1971 experiment at Stanford University. Scheduled for 2 weeks using student participants to role-play prisoners and prison guards, the experiment was halted in six days over fears that the violence which developed would escalate to cause serious and lasting injury, both physically and mentally.

<sup>21</sup> Pat Bear, March 1989; Sandy Sayer, October 1989; Marie Ledoux February 1990.

<sup>22</sup> Careen Daignault September 1990. Johnie Neudorf, November 1990

of Marlene Moore's December, 1988 suicide to finally prompt the CSC to convene the TFFSW in the spring of 1989.

There is, of course, a duality of discourse inherent in the ubiquitous structure of the CSC, "typically a disparity between the public transcript deployed in the open exercise of power and the hidden transcript expressed safely only offstage"(Scott 1992:73). Both transcripts must be laid open to multi-layered examination and this is the task. It is through language that the process of dehumanization is enabled just as "the process of humanization is not founded in the conscious production of the necessities of life (Marx) or in the use of tools (Rousseau), but rather in the use of language"(Horster 1992:63).

Wholesale use of the labels and euphemisms that corrections enjoys casting, labels like "violent," without knowing and accepting the prisoner's challenge of the contextual framework within which the so-called violence was enacted, and "programs" like the "special needs units," without demonstrating aversion to these 'modern' torture chambers, ensure the consequences of divorced understanding accompanied by ongoing confusion and tragedy.

*...an accurate understanding of critical theory requires recognition of the way in which the concept of indeterminacy questions the authority of definitional cages; it is not "nihilism" but a challenge to contextualize, because it empowers community standards and the democratization of interpretation"(Williams 1991:109).*

Most people remember the governments' use of euphemisms to sanitize the killing of unarmed men, women and children during the January, 1991 Gulf War, calling it "collateral damage." CSCs euphemisms are less well understood. It is punishment, not "treatment" that is administered within fortified sensory-deprivation cells and not in "enhanced security and/or special needs units." Segregation or solitary confinement is clearly **not** a "program."

"Corrections" is plainly an oxymoron since reformatories, lock-ups, jails, prisons, and penitentiaries correct nothing, rather they err. The 'correct' description for the "business" of the "CSC" is the 'Penal Services Among Canada (PSAC). Since many of the "front-line"(those who are in the front, facing the 'enemy' first) workers are Public Service Alliance of Canada members, the general public would be reminded of the clear link between 'jails and jobs.' Should the "War Against Crime" enable the 'war against prisoners?' The "management" a "Correctional Manager, Unit Manager, or Case Manager" does is normally their own job management. The work done in prisons should describe the function of the worker--warden, keeper/gaoler or record keeper.

**Prisoner** is the only correct term which describes a person locked into a cage or cell within a facility not of one's choice and whose quality of existence therein depends upon the keeper(s). A prisoner does not "live" in one's "house, home or room"--one always has the key to one's house and has the freedom to enter and leave at will as well as the right to refuse entry to anyone. An "inmate" is an inpatient of a mental hospital some of whom have voluntarily entered the "institution" and "client" is a person who has purchased the

services of a chosen deliverer or is a patron of the one hired and/or is an outpatient-- one who chooses to be a client. "Residents" are also obvious corruptions.

"Institution" attempts to "civilize" the penitentiary since one is very familiar with other institutions like hospitals, the family, the marriage, etc. All of these euphemisms are used to normalize and sanitize the experience of imprisonment, clearly not "normal" at all. Tragically, many prisoners internalize this fake normalcy and become totally "manageable" (institutionalized). After years inside, many are completely "programmed"(debilitated), are unable to apply critical thinking and have no understanding of 'real world' inter-relationships between work, family and community. When released, many "good inmates" fail at "reintegration" returning to prison (their "normal" "homes") over and over and over again. Prison "treatment and programs" produce good "recidivists" not good citizens.

The continual use of the term "offender" justifies everything done to "an inmate in the name of the law." Yet "offender" describes a person who commits an offense--a current transgression, one that is occurring at a specific time. Charged with an offense, the person is tried, and if convicted become a prisoner. The offense has already happened. It is in the past. The prisoner in prison is not offending. S/he has already offended. S/he may have "offended" once and may never "offend" again, but utilizing the label, "offender" permits an ongoing and static reference justifying brutalization and degradation ("treatment of the offender"). Conduct considered outrageous in society is often rewarded in prisons.

In 1991, in Saskatchewan Penitentiary, two prisoners on their knees from the effects of tear gas, died from bullets fired into their backs. The CSC called it "legal intervention." Claire Culhane called it killing. On December 31, 1987 suddenly woken at four in the morning by guards surrounding my bed, I was handcuffed and shackled in my pyjamas and carried to a prison van. At the Abbotsford Airport, two waiting P4W guards tossed me into a Lear Jet to fly me back to Kingston, Ontario<sup>23</sup>. They call this the "involuntary transfer" of an "inmate." I call this assault and violation of my prisoner's rights.

In 1994, when the Emergency Response Team(ERT), simply a gang of hooded, armed guards (often "recreational officers") trained to inflict pain and fear, stomped into the segregation unit at P4W to carry out "cell extractions" (the enforced removal of prisoners from their cells), they easily justified their terrifying assaults on unarmed and naked women. I remember similar incidents. The last one I witnessed was on the 31st of December, 1988. About twelve women had refused to lock into their cells on "A" range before midnight, the customary lockup time on New Year's Eve at P4W. We normally remained just outside of our cells so that we could personally wish each other a happy new year. At about 10:45 PM the warden announced over the intercom that since we had been rude, that this year -- the usual 11 PM lockup would be enforced.

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<sup>23</sup> From Mission Medium Security Penitentiary for Men, Mission, BC.

Fifteen minutes before midnight, with shields and batons raised and accompanied by two Dobermans, the ERT from the Kingston Penitentiary for Men<sup>24</sup> stormed onto the range. The women ran into any cell they could lock into before being battered and/or bitten. Then - in the darkness and one-by-one, each woman was "cell extracted." The dull thuds of heads banging on gloved concrete, shrieks of terror and whimpers of subjection, the clanging of cell doors opening and crashing closed and the loud -- hoarse-voiced commands competed with the simultaneous cries of outrage from those of us already locked.

We knew well the macing, stripping and degradation protocol that would follow later in segregation. The next day, all that was left of the struggle was the odd tangle of long hair entwined in bars, the reverberations of boots, batons and shields and the disturbing memory of excited glints in the eyes behind the helmets. "A" range was locked down for the next four days while five of us went to segregation in protest.

It is a grave error to think that any Commission or any other such reactive formation will stop "Certain Events" at Prison for Women (or at any other prison for that matter) from occurring again. One must focus less on "events" and hold fast to the criticism of the **PROCESS** which produced those events.

Consider the end-results of the process of classification, one which justifies a CSC action. The Regional Facilities were initially classified as "Reception Centres" since all federally-sentenced women (FSW) were to be transferred to these penitentiaries at sentence. On September 12, 1996 an Interim CD<sup>25</sup> was issued: "The current policy..." {After reneging on their 1990 promise to close P4W, the 1991 separation of mainly Aboriginal women to a "special unit," the subsequent ERT (goon squad) "interventions," hunger strikes by Aboriginal women, many lock-downs and the publicly televised ERT tapes of "certain events at P4W in 1994," women were still being held in segregation.

When the courts stopped the "involuntarily transfers" of these women to isolation in the Kingston Penitentiary for Men, the CSC continued to operate P4W as a SHU-like facility<sup>26</sup>... "is that no federally sentenced woman who is designated as a maximum security inmate will be accommodated at any of the new regional facilities for women." {This ensured that maximum security women could not benefit from CSCs former agreement with the Task Force to"... allow female inmates to live closer to their families and friends"(Vancouver Sun September 26, 1990) which also meant that more women must be classified maximum security to be transferred to P4W in order to justify the employment costs of keeping P4W open<sup>27</sup>. This necessitated the reclassification of the regional prisons which now: "are not reception centres as provided for in paragraph 4 of CD 500." Added to this Interim CD as casually as a footnote was:

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<sup>24</sup> The Kingston Penitentiary for Men is located across the street from P4W which enables quick access to the ERT( guards eager for stimulation from their usual boredom).

<sup>25</sup> The information on the Interim CD was obtained from a dated memo and does not have a CD number reference.

<sup>26</sup> Special Handling Unit - super-maximum security for men.

<sup>27</sup> As of November 1999 there were 12 women incarcerated in P4W and about 50 staff members.

"notwithstanding...the placement or subsequent transfer of female inmates may be made to an institution **other than a women's institution.**"

These "involuntary transfers" to men's maximum security penitentiaries underlies the alternate strategy of the CSC - if they can't classify enough women as maximum security to justify the expense of keeping P4W open, the CSC will add another label to these women to warrant their move to another men's penitentiary. However, because women "having significant mental health issues" may not always be classified maximum security, on September 19, 1996, a further Interim CD was issued: "Effective immediately and until further notice the portion of Springhill Institution<sup>28</sup> accommodating federally sentenced women is classified as multi-level." Multi-level is a 'catch-all' classification of any prison which permits a prisoner of any security level to be incarcerated there. An additional caveat is that a multi-level prison is required to maintain the security level of the highest classified security prisoner held in that location. Therefore, even if a woman is considered a minimum security risk, if she is labeled as "having a significant mental health issue," she will be punished as if she is a maximum security problem!<sup>29</sup>

The above process illustrates how easily even harsher controls over women have emerged after both *Creating Choices* and the *Arbour Inquiry*. The imposition of the most heinous of punishments -sensory deprivation - is applied to the least powerful - to women who have little education and/or resources and/or few friends and/or family members powerful or astute enough to build the legal and public support required to stop this intentional barbarity. Any person or group willing to expose these immense travesties of justice committed by the CSC against women could study the lives of Joey, Diane or Sandy.<sup>30</sup>

Heaped upon their short (outside prison) life histories disfigured with abuse are their lengthy (inside prison) histories scarred with more violations. It is beyond comprehension how these women have survived their ongoing ordeals. After years - yes - **years punished in isolation**, they are now **emotionally paralyzed**. Joey and Diane have already served more than double their minimum sentences of seven years before eligibility for day parole. Each has been incarcerated in P4W for over eighteen years on sentences of their minimum ten years to serve before eligibility for full parole!

There is ample evidence to believe that Sandy was wrongfully charged and convicted of murder. The CSC now considers her one of the "worst mental health problems in the system."<sup>31</sup> Yet when I spoke to her just last month she sounded perfectly rational. When in P4W she was an amiable young woman whose passion was fresh-air exercise. I will never forget her brilliant smile which lit up the gym when she danced at Pow-Wows. As

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<sup>28</sup> Men's maximum security penitentiary, Nova Scotia. FSW are also isolated in the men's Regional Psychiatric Centre, Saskatoon, Sask., Saskatchewan Penitentiary, Sask. and St.-Anne-des-Plaines Institution, Ste-Anne-des-Plaines, PQ.

<sup>29</sup> Kim Pate, Executive Director of CAEFS, has ably and inclusively addressed these dysfunctional processes and continues to do so. In particular see: CAEFS (1995) (1998).

<sup>30</sup> Further information may be obtained by your request in writing accompanied by letter of introduction upon which I will contact the women for their consent to be contacted.

<sup>31</sup> As expressed to me by a CSC employee during a break from proceedings at the National Stakeholder's Meeting, January, 1998, Montreal.

a child she had already endured "I think the worst history of abuse I have ever heard."<sup>32</sup> These three women have served the majority of their years inside under various forms of isolation. Why are they all still in maximum security held under segregated conditions?

There are also women serving life in segregation in the Burnaby Correctional Centre for Women (BCCW). Before BCCW was built I applied to BCC seven times for return from P4W but was denied. However, when BCCW opened in 1991 and their federal funding was based on the number of beds occupied by FSW, I became a sought-after commodity. My lawyer (John Conroy QC) successfully obtained an injunction<sup>33</sup> to stop my "involuntary transfer" to this modernized gaol because the medium security conditions I existed under at Matsqui Penitentiary were vastly superior to what I faced at BCCW where they boast 114 surveillance cameras which observe 114 maximum security prisoners separated into tiny units, each commandeered by a plexiglass-surrounded guard station.

This constant watch is aggravated by the lack of communal dining and movement resulting in the ultimate in frustration and lack of resources for FSW, and the ultimate in control for staff. Nearly 70 per cent of the women held in this 'ultra-max' prison are serving provincial sentences of less than two years, many of them a few months so that the time dimension surviving this harsh environment may not be as harmful to those serving months as the deprivation to those serving years. Juvenile boys<sup>34</sup>, prisoners on remand and serving weekends, environmental protesters and now "illegal Chinese immigrants" all compete for their meagre shares of space and 'resources.'

Even though the planned fortress, BCCW, was still only a conceptual drawing when the Task Force was established, FSW in BC were excluded from the TFFSW. The BC Federal Exchange of Services Agreement (BCESA) which eliminates federal standards of treatment for FSW was not signed until March 29, 1990. *Creating Choices* was published a few days later. In 1988 while incarcerated in P4W I was told that BC is simply too far away from Ottawa to be "concerned about,"-out-of-sight, out-of-mind. Nothing has changed. FSW in BC still have no power and absolutely no choices. BCCW however, retains the right to "involuntarily transfer" FSW to P4W and/or to a men's federal penitentiary as they did in July, 1999<sup>35</sup>.

Certainly *Creating Choices* stands as a classic document, but its power is only that of any document produced by any group with no authority under law to enforce their recommendations. Open to the discretion of the CSC, the bastardizations were slickly accomplished. Perhaps if the TFFSW had referred to the authority of the Daubney Committee's suggestions in *Taking Responsibility* (1988), the Task Force may have

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<sup>32</sup> As expressed to me in confidence.

<sup>33</sup> As of December 1, 1999 my Charter writ claiming discriminatory treatment by the CSC is still active and we await our date in court. I have two outstanding Canadian Human Rights complaints (filed in 1988 at P4W and 1992 at Matsqui Penitentiary) Decisions are pending subject to the outcome of my trial.

<sup>34</sup> The boys were transferred out of BCCW in 1998 but that doesn't mean that they won't be returned at some point in the future.

<sup>35</sup> As the injunction to stop this "involuntary transfer" to Saskatchewan Penitentiary for men was being prepared, the woman signed a waiver on July 22, 1999 in exchange for a guarantee from the warden that she would be returned to BCCW in three months. That guarantee is now disclaimed.

enlisted the potency of a parliamentary committee. Instead, the CSC used *Creating Choices* to conveniently and effectively usurp the authority of the Daubney Committee's recommendations and in particular of one focus on community placements for FSW. The CSC noted:

The 1988 report of the Standing Committee on Justice and Solicitor General...takes a rare view of the situation facing federally-sentenced women...17 of its 97 recommendations to improvements...No further prison construction take place without establishing halfway houses for women at the same time;...Closure of the Prison for Women in the next five years and...

The CSC added, "...It is not clear at this point whether the government will formally respond to the Daubney report"(Solicitor General 1989:8-9). At this writing there are no halfway house beds specifically for any FSW west of Ontario explained by the lack of funding for this type of arrangement. There is funding for inside contracts which many professionals continue to spar for. To those of us inside who are designated 'subjects for research,' "The scholar appears as an authoritative (and often well paid) voyeur bound in hierarchical relations to her relatively impoverished subject..."(cited in Duggan 1992:27).

The priority prison axiom, 'for the good order of the institution' belies the real mission (the private discourse) of the "correctional" authorities - growth of their "industry"; job security and safety; and concealment. Those employed by and under contract for the CSC must promise that "nondisclosure of wrongs" termed "confidentiality," is an acceptable condition for employment. This enables the continuity of some of the worst crimes committed in the name of the state.

Never underestimate the gluttony of the "correctional" enterprises. The CSC has ready access to funding and is only accountable (audited) every five years. They need not wait for approval from anyone before acting. Witness the rapid April, 1995 completion in P4W of "a new, higher security segregation unit...of 10 cells with steel doors...at a cost of \$750,000" (Kingston Whig Standard April 20,1995) **before** the Arbour Inquiry was announced.

Along with the existing twenty-two segregation cells and the twenty-five "separated" cells on "B" range, there are now 57 segregation cells, more than 42 per cent of the 135 single-bed capacity of P4W! Are we expected to agree that women are ten times more "dangerous" than men incarcerated in the maximum security Archambault Penitentiary which has sixteen segregation cells (less than 4 per cent) out of its 425 single bed capacity? Or could it be that the examples of unarmed women with obviously indefatigable courage (enough to protest their violations in the face of the overwhelming odds of impending physical assault) must be obliterated?

The military control model (only adjusted and amended to computerized requirements) designed by and for the male-dominated, patriarchal culture, is as appropriate for attending to the "needs" of women in prison as is circumcision. Attack the processes to illustrate that Band-Aids do not stop the jugular flow. Open doors to the solutions

available within true spiritual endeavors and feminist intellectual analyses. Declare that language and behavioural euphemisms strategized to disarm advocates for justice, will be obliterated.

Understand that the "correctional" bastions will only use Inquiries, Commissions, Task Forces, etc. as smoke screens to increase their numbers and their budgets. Stop the construction of more maximum security units, the addition of more security devices, the addition of more barriers of bureaucratic maze, of more levels of "authority." Understand that reform of any corrupt enterprise will only result in reformed corruption. Enlist the weapons of critical education, dissent and protest to decriminalize and to decarcerate wherever possible.

Community Resources, Education, Legal and Policy Initiatives and Public Awareness could begin an end to the incarceration of the majority now imprisoned and perhaps an end to incarceration as a business. Keep constant reference to the proceedings from the International Conferences on Penal Abolition (ICOPA).<sup>36</sup> No battle with any military can be won without a plan of logistics and nothing will change except, "now they are modern, now they wear polyester."

Put your faith and your trust in the experts within world circles of humanitarians, scholars, creatively strong feminists, Constitutional experts, socio-political activists and penal abolitionists. Their analyses could best ensure both humane treatment within the walls while formulating a practical strategy to end the use of imprisonment as the first reaction to "criminal behaviour." A few come quickly to mind because I know them and their work well, like the indomitable Des Turner<sup>37</sup> and Wayne Northey<sup>38</sup>, Karlene Faith and Liz Elliott<sup>39</sup>, Kim Pate and Patricia Monture, John Conroy<sup>40</sup> and Sasha Pawliuk<sup>41</sup>, and June Callwood<sup>42</sup>. They continue to serve as role models for me as I<sup>43</sup> continue to serve my life sentence reporting to a CSC parole officer.

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<sup>36</sup> ICOPA I, Toronto. 1983. see: Margaret Wilson 1931. *The Crime of Punishment* (as suggested by scholar, Brian D. MacLean in *We Who Would Take no Prisoners* (1993). ICOPA IX will be held in 1999 in Toronto. Contact Rittenhouse: [ritten@interlog.com](mailto:ritten@interlog.com)

<sup>37</sup> Social activist par excellence who continues to rally support from Archbishop Michael Peers, Primate of the Anglican Church of Canada. "Des" would be a valuable contributor to any National Community Committee in liaison with many organizations such as the Mennonite Central Committee, the Quaker Committee on Jails and Justice and the Church Council on Justice & Corrections.

<sup>38</sup> Former editor of "*The Accord*", Mennonite Central Committee, social activist and penal abolitionist.

<sup>39</sup> Ph.D. Criminology, SFU. Early work with John Howard and E.Fry Societies, Editor of the Prisoners' Journal on Prisons. Board member of the West Coast Prison Justice Society, Abbotsford. BC. Watch for her publications.

<sup>40</sup> John W. Conroy, QC., Chair, Canadian Bar Association. Conroy and Co. Barristers & Solicitors. Abbotsford. B.C. Among many landmark cases in prison law, see most recent *Landry v. Regina*; *Winters v. Regina* and series of submissions by the Committee on Imprisonment and Release of the National Criminal Justice Section of the Canadian Bar Association.

<sup>41</sup> LL.B., formerly with Prisoners' Legal Services, Abbotsford, B.C. Board member West Coast Prison Justice Society, c/o Conroy and Co., 2459 Pauline St. Abbotsford, B.C. V2S 3S1. See her most recent Charter challenge: *Alcorn et al v. The Commissioner of Corrections et al* (10 March 1999).

<sup>42</sup> Former Globe & Mail columnist. VISION TV host of "Callwood's National Treasures". Humanitarian. Author of many books, friend of Marlene Moore, and founder of the Casey House, first hospice in Canada for AIDS patients.

<sup>43</sup> Gayle K. Horii, c/o The Coordinator, Strength In Sisterhood (SIS) Society, 6038 - 189th St. Surrey. BC V3S 8A2

**Processing Humans**  
by Gayle K. Horii  
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