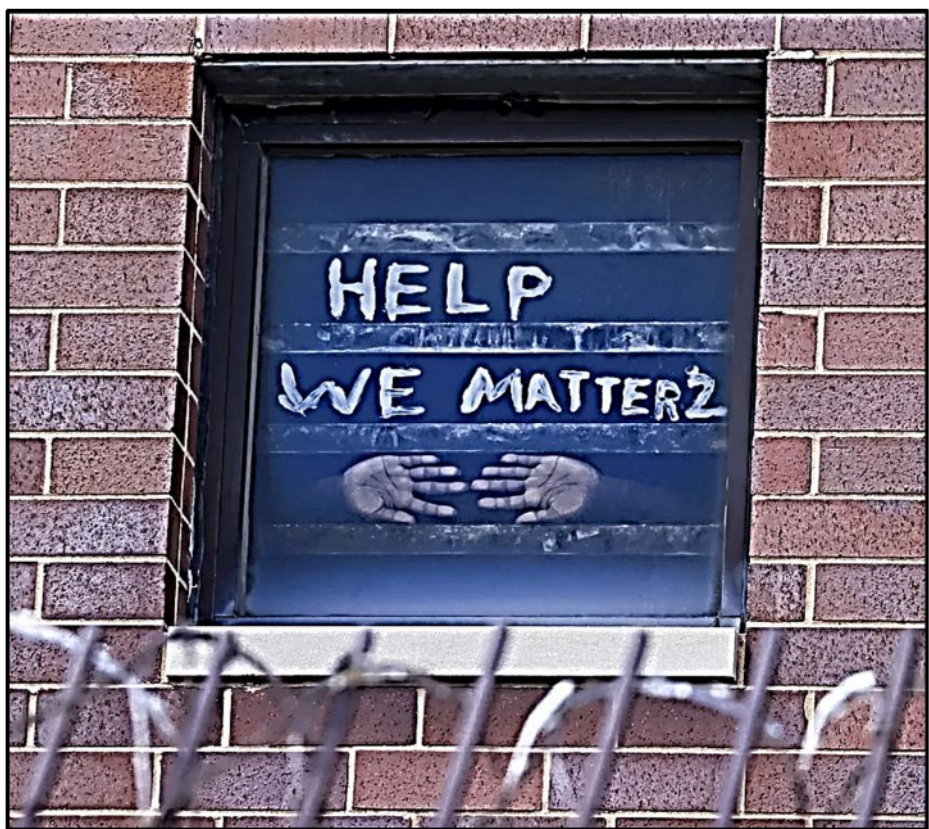


WOMEN'S
PRISON
NETWORK



ISSUE 19
SUMMER 2020

Editor's Note:

Welcome to Issue #19 of Women's Prison Network, a magazine by and for women, trans and youth prisoners in Canada.

This is a safe space to share art, poetry, news, thoughts, conversation, connections ...

We send copies into all Women & Youth prisons in Canada.

Send your art, poems, short stories, comments, articles, etc, to Women's Prison Network if you would like to be a part of the next Issue. - Thanks!

Women's Prison Network
PO Box 39, Stn P
Toronto, ON, M5S 2S6

Contents:

News 3-11
Resources..... 12-16

Cover Artwork:

HELP WE MATTER 2
Unknown - Cook County Jail (2020)

Artists:

Cover Artists will receive a \$25.00 donation. Thank you so much for your work!
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Please note: this magazine is for women, trans and youth from all cultures, so please do not send religious imagery.
Thank you for your art!

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One column is only 300 words, so do choose your words carefully.
It must be short & to the point.
Poems that are tight & give space for others are the first in.
Thank you for your words!

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Ottawa ordered to pay \$1.12M in legal fees for prison segregation class action

The federal government has been ordered to pay \$1.12 million in legal fees for a segregation class action in a judgment critical of Ottawa's arguments for paying less.

In awarding the costs to representative plaintiff Jullian Reddock, Superior Court Justice Paul Perell rejected the government's contention that the requested fees were unreasonable or excessive.

"If anything, it is the pot calling the kettle black for the federal government to submit that class counsel over-lawyered the case," Perell said.

The fee award comes in a class action involving the placement of inmates in administrative solitary confinement. Lawyers from McCarthy Tetrault and Koskie Minsky were involved.

Reddock launched the action in March 2017. He said he had sometimes spent days without leaving his cell and that he binged on an anti-anxiety drug.

In August, Perell awarded the thousands of class members \$20 million in damages, with the right of individual complainants to push for higher amounts depending on their circumstances.

"The Correctional Service operated administrative segregation in a way that unnecessarily caused harm to the inmates," Perell said.

Reddock requested \$1.24 million to cover the legal costs of his successful fight. The government, however, claimed the fees were "disproportionate and excessive."

In its submissions, Ottawa argued a substantial cut was warranted because the Reddock lawyers from McCarthy Tetrault were also involved in a separate segregation class action against the government. That lawsuit, with Christopher Brazeau as one of the representative plaintiffs, involved mentally ill inmates placed in administrative segregation.

The lawyers' decision to separate the lawsuits was "duplicative" and the litigation approach "unreasonable," the government maintained.

Perell, however, rejected the arguments, noting among other things that the government did not say what costs would have been reasonable or how much it spent on its own lawyers.

"When an unsuccessful party does not file a bill of costs but alleges over-lawyering, courts are

very skeptical about the allegations," Perell said. It would appear, the judge said, that Ottawa spent at least as much, if not more, on lawyers than did the plaintiff.

The two class actions, Perell said, were substantively different and Ottawa's claim to the contrary was unjustified. Nor could it be said that pressing them as a single suit would have been more efficient, he said.

"The federal government was quite happy to take ironical and inconsistent approaches in advancing its defences and playing one case off against the other," Perell said. "It takes irony and hypocrisy for the federal government to say there were efficiencies to be achieved."

Perell did reduce Reddock's requested fees by \$113,000 for a sliver of counsel overlap he found in the two cases.

Administrative segregation involves isolating inmates for safety reasons where authorities believe there is no reasonable alternative. Prisoners spend almost their entire day in small cells without meaningful human contact or programming.

Critics argue the practice can cause severe psychological harm and amounts to cruel and unusual punishment, facts that Perell - and other courts - have accepted. Ottawa has said legislation that takes effect Nov. 30 will alleviate the problem.

Colin Perkel
The Canadian Press
Oct 26, 2019



The CSC is censoring whistleblower complaints about COVID-19 in federal prisons

Just before the new year, Dr. Li Wenliang issued a bold warning on Weibo, a Chinese social media platform. He warned his colleagues to don appropriate protective gear, as a new, unidentified, virus was emerging in hospitals around Wuhan.

For that bravery, Dr. Li was investigated by local authorities, and summoned to a police station. He was forced to sign a letter playing down the risk of the virus, under penalty of prison.

The doctor has been lionized for standing up to China's bumbling, ham-fisted attempt to control this virus by limiting the flow of information. Dr. Li was, himself, evidence of how dangerous that is - he, tragically, died in early February from the virus he first warned of.

I'm left thinking of Dr. Li, as Canada faces its own COVID-19 crisis. While public health advice has informed government policy on most fronts, Ottawa has ignored advice to curb the spread of the virus in federal prisons.

Despite statements to the contrary from Correctional Service Canada (CSC) headquarters, inmates have not been given hand sanitizer or additional soap; inmates with fevers are being thrown in solitary confinement; corrections officers are not exercising social distancing; new inmates are not being isolated; and there are medication shortages for inmates with asthma, amongst a bevy of other massive problems. I can report this because dozens of inmates have, in recent weeks, picked up the phone to call me and other journalists. They have painted a picture of a system grossly unprepared, and buckling under the weight of a pandemic.

Even making phone calls has been different. Many institutions have implemented lockdown protocols, cloistering inmates to their cells for most of the day.

Those calls are expensive, with an hour on the phone running about \$4, on top of a monthly fee. One inmate who called me did so using money he had saved up from cleaning the prison - he earns \$1.50 a day.

Instead of addressing the concerns of the inmates blowing the whistle, the government has chosen to retaliate against them for speaking out.

Jonathan Henry, serving time in the Edmonton Institution, spoke to the CBC in late March about how little his institution was doing to fight COVID-19. After that interview aired, CSC cut off Henry's phone access for 45 days, according to his lawyer. That has left his wife terrified, and without information. "We don't know if maybe he's going to start showing symptoms and has no way of calling us and letting us know," she told the CBC.

In a statement to me, CSC insisted that "inmates can speak to media and are not punished," but defended its decision to suspend Henry's access to the phone.

Despite these rules not existing for provincial jails, CSC maintains the restrictions are necessary to ensure "safety and security of the public, staff and institutions."

A CSC directive reads that all media are "required to submit requests for interviews," and that any such request must be vetted by CSC staff - and allows for virtually limitless justification to deny those requests. Journalists, under this policy, must be on the inmate's list of approved phone numbers before the interview can take place.

They also ban all three-way phone calls - whereby someone on the inmate's approved calling list sets up a conference call with someone else, including journalists. That's the rule, his lawyer says, they are leaning on to punish Henry. These directives are selectively applied, at best. Some inmates I've spoken to have been allowed to call without adding me to their calling list - others have had trouble doing so, and have resorted to using the three-way calling feature. Lawyers I've spoken to say these rules are very rarely applied.

Indeed, some corrections officers themselves have seemingly flouted the rules in order to help inmates get the word out. One inmate in a federal institution in British Columbia convinced a guard to let him call me on an office phone.

That inmate had recently been upgraded from a medium-security facility to a maximum-security institution for, according to a citation he read aloud, "making comments about COVID-19 that were inciting in nature." The inmate, who did not want his name published for fear of retribution, told me he had been encouraging inmates to file grievances about the lack of action taken to prevent the spread of COVID-19.

This is what tinpot Napoleons do - weaponize selectively applied or nebulous rules against the whistleblowers.

And it has worked. Inmates have clearly heard the message sent out by CSC, and are now afraid to go on the record about the serious ineptitude inside those facilities.

"They want to keep a lid on this," says Tom Engel, president of the Canadian Prison Law Association. "They don't want the media reporting that they're not doing what they say they're doing." He calls the directives, and CSC's use of them to target prison whistleblowers, "draconian."

If corrections officers and prison management have arbitrary and absolute power to approve or reject media requests, there is no possibility of having a free press report on Canada's prisons. It completely eviscerates the possibility of building confidential sources, and creates a culture of silence inside those institutions. We cannot report effectively on this crisis if we are managed by government censors.

Our only window inside those walls are through the phone lines.

Justin Ling
National Post
Apr 8, 2020

Prison needle exchanges driven by security, not health concerns

Only a "handful" of inmates enrolled in the prison needle exchange program in its first 10 months, because Correctional Service Canada (CSC) appears to have designed the program around security considerations rather than health, according to the Correctional Investigator of Canada's annual report.

The report from Ivan Zinger, the ombudsman for federally sentenced offenders, on the country's prison system was tabled in Parliament on Tuesday, outlining several concerns with the approach prison officials have taken in regards to the needle exchange program.

Zinger noted that the purpose of prison needle exchanges is reduce harm associated with injection drug use, namely the spread of infectious diseases like HIV/AIDS and hepatitis C,

but CSC won't be successful in that goal if inmates don't participate in the program.

He urged CSC to increase participation by considering best practices for successful prison needle exchanges detailed by the United Nations, which include:

- Leadership support at the highest level.
- Steadfast commitment to harm reduction and public health objectives.
- Clear policy direction and oversight of the program.
- Participation of staff and prisoners in planning and operational process.

The prison needle exchange program (PNEP) was launched in June 2018 at Atlantic Institution in New Brunswick and Grand Valley Institution for Women in Ontario. It was gradually introduced to other CSC facilities afterwards.

"There seems to be a lack of trust and confidence in the program, from both inmates and staff," said Zinger in the report. "Too much of what should be an exclusively health and harm reduction program has been shaped by security concerns."

Drug possession still results in punishment

According to Zinger, establishing the program explicitly recognizes that a zero-tolerance drug policy doesn't work, and that it's impossible to keep drugs out of prisons, however, he notes CSC has launched the program in the context of a zero-tolerance disciplinary environment.

Inmates who want to take part in the needle exchange must sign a contract stating that they'll face disciplinary measures if they're found to be in possession of illicit drugs or drug paraphernalia, with the exception of the PNEP kit and provided supplies.

"Harm reduction seeks to inform and empower individuals in reducing the harms associated with drug use. CSC will fail to meet this objective if it continues to stigmatize and punish drug use behind its walls," said Zinger.

He concluded the needle exchange section in the annual report by recommending that CSC works to build confidence and trust in the program by revisiting its purpose and participation criteria in consultation with inmates and staff.

Zinger's report includes a response from CSC, which said that the program was based on international examples, but "modified to fit the Canadian context."

The CSC response said the program will continue to be developed and run according to scientific evidence and involving an independent academic, which "will contribute to building confidence and trust from both staff and inmates."

Rafferty Baker
CBC News
Feb 19, 2020

Canada abandons solitary confinement appeal to Supreme Court

After five years of fervent legal defence, Ottawa is abandoning a Supreme Court appeal of several lower court decisions that rendered solitary confinement unconstitutional in federal prisons, bringing an unceremonious end to the practice of confining prisoners to cells the size of parking spots for months and years at a time.

In two notices of discontinuance filed with the court on Tuesday, the Attorney-General stated it "wholly discontinues the appeal."

That single phrase terminates a protracted legal battle with civil rights groups that has fundamentally reshaped prison management in the country by rendering any form of solitary confinement stretching more than 15 days as cruel and unusual punishment.

"It's a huge victory. We are thrilled," said Noa Aviv Mendelsohn, equality program director at the Canadian Civil Liberties Association, one of the groups that sued the federal government in 2015 arguing that the Correctional Service of Canada practice known as administrative segregation violated the Charter of Rights and Freedoms on several grounds.

"They have been fighting us for so long and clinging to this practice for so long," she said.

A joint statement released on Monday from the offices of Public Safety Minister Bill Blair and Attorney-General David Lametti said the government decided to abandon the appeal because legislation passed last year effectively repealed administrative segregation, the prisoner-isolation method akin to solitary confinement that has been the target of recent court challenges.

The British Columbia Civil Liberties Association and the John Howard Society of Canada filed a similar challenge in B.C. Supreme Court. The

Supreme Court had agreed to hear appeals in both cases together.

Since 2015, the rights groups have argued that administrative segregation is an unconstitutional prison practice analogous to indefinite and prolonged solitary confinement, which has been found, in studies the world over, to inflict permanent mental and physical injuries upon prisoners. Some of those documented ailments include paranoia, psychosis, heart palpitations, eating disorders, permanent difficulty coping with social interaction, self-harm and suicide.

At the time the court challenges were filed, the prison service was facing heavy criticism for the deaths of two inmates, Ashley Smith and Edward Snowshoe.

Ms. Smith, a New Brunswick teen, died in 2007 by self-strangulation as prison staff at Grand Valley Institution watched. She had spent more than 1,000 days in solitary confinement. A 2013 coroner's inquest jury ruled the death a homicide. Mr. Snowshoe died by suicide in 2010 at Edmonton Institution. He'd languished in solitary for 162 days. A subsequent Globe and Mail investigation found that his deteriorating mental state had been ignored by prison staff.

In the wake of the deaths, various bodies recommended that prisons limit solitary confinement to 15 days, install independent oversight for segregated prisoners, and prohibit segregation for certain vulnerable groups, such as mentally ill, young and pregnant prisoners.

Those three planks became the basis of the court challenges when it became clear the correctional service was ignoring the recommendations.

In court, government lawyers declared that administrative segregation was a rare and Charter-compliant practice necessary to uphold the safety and security of federal prisons. Federal prisons had been holding around 800 prisoners in solitary confinement in 2015. As the litigation wore on, and the government came under continual pressure to enact reforms, the solitary population plummeted below 200.

The rights groups notched repeated victories in lower courts. But Ottawa tried to derail the proceedings by promising legislation that would address every aspect of the judicial decisions.

With Bill C-83, passed last year, the government said it was abolishing administrative segregation entirely and replacing it with a new form of prisoner isolation called Structured Intervention

Units, which would grant prisoners at least four hours free from their cells, double their current entitlement, including two hours of “meaningful human interaction.”

The government said that giving prisoners four hours outside their cells meant structured intervention no longer met the definition of solitary confinement, defined by the United Nations as 22 hours or more hours in a cell without meaningful human contact.

But the rights groups, along with legal scholars across the country, say the units are still practising solitary confinement. They argue that the legislation fails to address two major constitutional holes identified by lower courts: a lack of binding independent oversight and an absence of limits on the amount of time prisoners can spend in isolation.

“The law continues to permit prolonged solitary confinement by failing to put a hard cap on the number of days a prisoner can be placed in solitary confinement,” said Grace Pastine, litigation director for the British Columbia Civil Liberties Association.

“We certainly hope that the government’s decision to abandon this appeal is a commitment to actually abolishing prolonged and indefinite solitary confinement and upholding the fundamental rights of all prisoners,” she said. “We intend to monitor the government’s actions very closely.”

Patrick White
Globe & Mail
Apr 21, 2020

Criminalizing Women: Gender and (In)Justice in Neoliberal Times (2014)

Edited by Gillian Balfour & Elizabeth Comack

Criminalizing women has become all too frequent in these neo-liberal times. Meanwhile, poverty, racism, and misogyny continue to frame criminalized women’s lives. Criminalizing Women introduces readers to the key issues addressed by feminists engaged in criminology research over the past four decades. Chapters explore how narratives that construct women as errant females, prostitutes, street gang associates and symbols of moral corruption mask the

connections between women’s restricted choices and the conditions of their lives. The book shows how women have been surveilled, disciplined, managed, corrected, and punished, and it considers the feminist strategies that have been used to address the impact of imprisonment and to draw attention to the systemic abuses against poor and racialized women.

In addition to updating material in the introductions and substantive chapters, this second edition includes new contributions that consider the media representations of missing and murdered women in Vancouver’s Downtown Eastside, the gendered impact of video surveillance technologies (CCTV), the role of therapeutic interventions in the death of Ashley Smith, the progressive potential of the Inside/Out Prison Exchange Program, and the use of music and video as decolonizing strategies.



The most important thing schools teach children today is:
You can be anything you want as long as it isn't different.
- Aisha Tyler

Coronavirus outbreak in federal women's prison validates worst fears of advocates

Calls for the release of low-risk and vulnerable federal prisoners are growing after an outbreak of coronavirus at Joliette Institution for Women near Montreal, where 51 of 80 inmates have tested positive for the virus.

The statistics validate the worst fears of prisoner advocates.

"We have been speaking out about the danger of COVID-19 and demanding immediate and swift action in the federal prison system for weeks," says Emilie Coyle, executive director of the Canadian Association of Elizabeth Fry Societies (CAEFS). "Joliette was what we were worried about and said was going to happen."

An outbreak at the Joliette Institution began late last month among correctional officers there, with the first positive case confirmed on March 29. Ten days later, the Union of Canadian Correctional Officers (UCCO), which represents some 7,300 employees in federal prisons, announced that 31 officers at Joliette have tested positive.

There are now at least 51 cases of prisoners who have tested positive at Joliette, second-most of any prison in the country and up from just 10 confirmed cases in the institution on April 7, according to CAEFS. Coyle says that the true number of cases is likely even higher because some results are still pending.

Coyle says there are other federal women's prisons where inmates have tested positive, including nine at the Grand Valley Institution for Women in Kitchener

"I really hope I'm proven wrong, but we are very fearful of what's about to happen in Joliette and other prisons," says Coyle.

Coyle is calling for federal prisons to "rapidly and effectively" release prisoners who are deemed low risk, are close to their release date or medically vulnerable.

Correctional Service Canada reported the first death of a federal inmate from "an apparent result of complications related to COVID-19" at the Mission Institution in Abbotsford BC on April 16.

The issue of outbreaks in prisons has been especially acute in the federal correctional system. Some 241 of the 263 cases of COVID-19 reported among inmates so far have occurred

in federal prisons as opposed to provincial and territorial institutions, says Justin Piché, associate professor of criminology at the University of Ottawa and director of the Carceral Studies Research Collective.

Advocates say that disparity may be due in part to the efforts of provincial prisons made to release prisoners and create more space for social distancing inside provincial prisons. Ontario has released more than 2,000 prisoners so far.

While the number of cases of COVID-19 inside federal prisons has grown, there has been little effort taken to release inmates.

Piché says in an email to NOW that the federal government "has lacked transparency and accountability during this crisis on this matter while prisoners and prison staff get sick."

Speaking in late March, a spokesperson for Minister of Public Safety Bill Blair said that the minister has asked the Commissioner of the Correctional Service of Canada (CSC) and the Chair of the Parole Board of Canada to examine the possibility of early release for some prisoners.

The Parole Board of Canada states on its website that it is looking to "streamline its processes" for the safe release of offenders, including "looking for efficiencies" to expedite decisions about offenders eligible for full parole.

CSC spokesperson Line Dumais says "We are currently conducting an analysis of the offender population to be in a position to make evidence-based recommendations."

But UCCO opposes efforts to release prisoners saying in a statement released on March 30 that "The release of a few inmates would not solve the potential spread of COVID-19 in our facilities; it would only increase the risk for Canadians."

The union cites the case of a Quebec man serving a sentence for murdering his wife and murdered a sex worker while on day parole in January, for which the CSC and Parole Board of Canada drew intense criticism.

CAEFS has advocated for the release of one woman at Joliette since November for reasons of medical compassion. Coyle says that the woman, who requires regular dialysis treatment, has tested positive for coronavirus and is now going to a hospital for treatment every other day.

Coyle says that she believes a decision has been made to release the woman, but that it should have happened sooner. "It goes to the lack of

planning that has resulted in this prison having just a huge outbreak," she says.

Citing privacy legislation, a Correctional Service of Canada (CSC) spokesperson would not confirm whether the prisoner will be released. If released, she would become just the second medically vulnerable prisoner that the CSC has agreed to let out since the pandemic began, following its recent decision to release a prisoner with cancer after he filed a lawsuit in Federal Court.

As well as calling for the release of prisoners, advocates like Coyle are highlighting conditions inside federal prisons, including reports of the use of so-called "Structured Intervention Units" (SIUs) in Joliette to isolate some prisoners. Coyle explains that the use of such units, formerly called segregation units, was supposed to have been outlawed by Bill C-83.

"We'll be examining the conditions of confinement under COVID because what we're hearing is that conditions of confinement in prisons right now do not line up with human rights legislation," she says, adding that CAEFS is still collecting data and has not made any final determinations.

"Inmates at Joliette Institution are being medically isolated and receiving the necessary care according to their symptoms," says CSC spokesperson Dumais. "As a precautionary measure, all women offenders at Joliette Institution were tested."

CSC also states that it is "expanding access to health care for inmates to address essential health care needs" and "working with inmates to review existing treatment plans with a focus on older offenders and those more vulnerable due to pre-existing underlying health conditions."

Coyle says that some women at Joliette have no control over their own health.

"Women are terrified," she says. "For people in the general public to understand, the fear we all feel at the grocery store or crossing the road - it's amplified in prison. The women can do nothing about it, they have no control over their own safety or health."

Coyle adds that, "People need to care because of the ripple effect this could have on the community and the toll it can take on the healthcare systems outside of prison that are already stressed," she says.

The city of Joliette, Quebec is a coronavirus hotspot, according to the health authority for the

region. There were 247 cases in the Joliette area as of April 16, representing over 20 percent of cases in the Lanaudière region of Quebec.

"This crisis has shown us how we can show up for one another in our communities, getting groceries for each other, helping elderly neighbours, we're learning how to come together as a community," says Coyle. "Including people who go to prisons in the discourse of who belongs in the community is something we always wanted. Maybe this time we'll see them as just as valuable as other community members."

Jon Yazer

Now

Apr 20, 2020

Judge rejects Ontario liabilities law in solitary confinement class-action ruling

A judge has rejected Ontario's claim that a new law gives it immunity from a wide range of lawsuits, in a ruling that grants a minimum of \$30-million in damages to thousands of prisoners who were shut away in solitary confinement.

The case, a class action brought on behalf of 11,000 Ontario inmates, was the first test of the Crown Liability and Proceedings Act (CLPA), which took effect last July. Critics have said that law makes it nearly impossible to sue the government and its agencies for negligence – a failure to take proper care in their work. The law was itself the first to take aim at a 60-year-old, Canada-wide trend to end governments' immunity from being sued for wrongful conduct.

The CLPA bars lawsuits over government policy decisions. But the question at the heart of the case was what constitutes a policy decision. The Ontario Attorney-General's department defined it broadly, arguing that solitary confinement – which it calls administrative segregation – was a type of policy decision that could not be the subject of a lawsuit under the new law unless the prisoners could point to individual employees who misused it.

If that interpretation held true, said Ontario Superior Court Justice Paul Perell in his 152-page ruling Monday, it would "make all provincial government activities policy and thus immune from tort [wrongful conduct] claims." Calling the province's argument "cynical," he said it would

be impossible for inmates at 32 jails to identify "individual villains."

He called solitary confinement a "dungeon inside a prison," and said that the severe psychiatric harm it causes is grossly disproportionate to its stated purpose of protecting jail security. He also quoted from George Orwell to suggest that the term "administrative segregation" was a form of doublespeak meant to conceal the true nature of solitary.

Eugene Meehan, an Ottawa lawyer, said that Ontario's new law on government liability has the potential to "move the tectonic plates of the citizen-state relationship," but that Justice Perell's ruling reduces the law's impact. "When the CLPA was enacted, the concern for many was that it was turning back the law of Crown immunity to a time where the Crown could do no wrong," he said. "It is now clear that the Crown can still do a lot of wrong and be held fully liable for it."

Brian Gray, a spokesman for the Attorney-General's department, said the province is reviewing the judgment. As the matter falls within an appeal period, he said it would be inappropriate to comment.

The lawsuit featured male and female inmates who have been locked away in solitary confinement, despite severe mental illness, or for periods in excess of 15 days, or both. One, Ahmed Mohamed, was subjected to racist beatings from other inmates and shut away for his own protection in a tiny, filthy cell for 30 days, with no TV or reading materials, and allowed out for just 20 minutes a day. Another, Conley Francis, who suffers from a psychiatric illness, testified he was placed in solitary for eight days, and later for two days, for refusing to take a psychiatric drug, Seroquel. Both men testified to suffering long-term emotional harm. They argued that such uses of solitary confinement violated their constitutional rights to personal security and protection against cruel and unusual treatment, and Justice Perell agreed.

James Sayce, a lawyer who brought the class action on behalf of inmates locked up in solitary confinement between 2009 and 2017, said the ruling protected the basic right to sue the government for being negligent in its day-to-day operations.

"The government tried to use [the law] as a get-out-of-jail-free card and the court wouldn't let them," he said in an interview. "The legislation

would basically do away with negligence lawsuits and that cannot be."

The lawsuit is to proceed to another stage, in which the individual inmates are entitled to make a case for additional damages, based on their treatment and the harm allegedly done to them, to a judge, arbitrator or other decision-maker.

The Ontario government argued the law, which can be applied retroactively, effectively shut down the prisoners' lawsuit, filed two years before the law took effect. It also argued that the government could not be held responsible for its use of segregation because Ontario's Court of Appeal ruled only last year that its prolonged use, or any use on severely mentally ill inmates, was unconstitutional.

But Justice Perell called that defence "a damning confession that it was legally and morally reprehensible for Ontario to use administrative segregation."

Sean Fine
Globe & Mail
Apr 20, 2020

A pandemic in prisons forces a rethink of why so many are behind bars

In mid-March, when the COVID-19 pandemic hit, Ontario had more than 8,000 people in its jails. Five weeks later, 2,600 have been freed - nearly a third of the provincial prison population.

These releases were an emergency health measure, because in overcrowded jails, as in seniors' homes, the virus can spread quickly. Across Canada, infections are surging among inmates. In federal prisons, 186 inmates had been infected as of Monday, double the number from five days earlier, and one prisoner had died. A single provincial jail in Ontario reported an outbreak infecting 60 prisoners.

The failure to stop the virus from spreading behind bars raises questions as to why more prisoners haven't been released. But the fact that many prisoners were released, and quickly, raises deeper questions about the rhyme and reason of Canada's prison system.

If these men and women could be safely released now, why not earlier? Why is jail our principal punishment, even for many non-violent

offenders? Are there better responses to some crimes, and some criminals?

It is time for a radical rethink of a prison system that is little changed since its invention two centuries ago.

Ontario's decision on March 13 was to allow intermittent prisoners - low-risk offenders who are behind bars only on weekends - to remain free. A week later, Ontario extended the release to some inmates near the end of their time served.

Other provinces such as British Columbia and Nova Scotia have also liberated prisoners. On Monday, Public Safety Minister Bill Blair said several hundred inmates have been released from federal prisons. Federal institutions hold those sentenced to two or more years; provincial institutions hold those serving shorter sentences, or awaiting trial.

There were 38,786 adults imprisoned in Canada as of the most recent tally from Statistics Canada. About 14,000 were in federal custody and the rest held provincially.

The first urgent issue is remand, which accounts for 60 per cent of prisoners in provincial custody, or nearly 15,000 people. They are charged but unconvicted, and awaiting trial.

Bail is a right under the Charter of Rights and Freedoms but the justice system for years has leaned toward pretrial detention. Since the mid-2000s, there have been more people in remand in provincial jails than sentenced.

Justice reformers have worked to reverse this ugly trend. A 2017 Supreme Court ruling underscored that release on a promise to appear should be the "default position." Ottawa two years ago conceded the bail system was and last year passed Criminal Code amendments that included "restraint" on the use of bail. These principles need to be reinforced, and carried out.

A bigger question is imprisonment itself. Canada puts convicted people behind bars at a lower rate than the United States, but at a far higher rate than most European countries. Why? The goal is not to coddle criminals or ignore crime. It's to find better ways to help offenders - many of whom come out of difficult circumstances - become law-abiding citizens, find employment and live as good neighbours.

Instead of jail for lesser offenders, what about greater reliance on conditional sentences, such as home arrest with an ankle monitoring bracelet?

What about sentences whose "punishment" includes the obligation to graduate from high school, get a postsecondary degree or apprentice in a trade?

Lastly, there is jail itself. Some people have to be held behind bars, but nobody should be subjected to our worst institutions. Consider the deplorable state of Ontario's newest jail, the second largest in Canada, the Toronto South Detention Centre. One judge recently described conditions there as "Dickensian, regressive and inexcusable."

Germany can be a model: fewer people jailed, for less time and in better conditions. And Germany gets better results, for less money. Savings could then be invested in alleviating root causes of crime.

Canada has the opportunity to rethink criminal justice, and to remake it.

The pandemic has freed thousands of low-risk offenders - suggesting that the case for them being behind bars in the first place was weaker than widely believed. And on Tuesday, the federal government quietly abandoned its appeal of a court ruling banning the use of segregation - solitary confinement - for more than 15 days. In prison, the status quo is no longer an option.

Editorial
Globe & Mail
Apr 22, 2020

You may encounter many defeats, but you must not be defeated.

In fact, it may be necessary to encounter the defeats, so you can know who you are, what you can rise from, how you can still come out of it.

- Maya Angelou

Our strategy should be not only to confront empire, but to lay siege to it.

To deprive it of oxygen. To shame it. To mock it. With our art, our music, our literature, our stubbornness, our joy, our brilliance, our sheer relentlessness - and our ability to tell our own stories.

Stories that are different from the ones we're being brainwashed to believe.

- Arundhati Roy

Book Clubs for Inmates (BCFI)

Book Clubs for Inmates (BCFI) is a registered charity that organizes volunteer-led book clubs within federal penitentiaries across Canada. Currently, BCFI is facilitating 30 book clubs from Nova Scotia to British Columbia.

BCFI runs French and English language book clubs for men and women incarcerated in minimum, medium, and maximum security facilities. Book clubs are usually made up of 10-18 members who meet once a month to discuss books, both fiction and non-fiction of literary merit.

Every month, hundreds of inmates participate in book clubs across the country and each year thousands of brand new books are purchased, read, and discussed.

Book Clubs for Inmates
720 Bathurst St.
Toronto, ON, M5S 2R4

✎ PEN PALS ✎

Send in your ad: 25 Words or Less.
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Participants agree that by using this service, it is at their own risk, and by accessing this service all users agree that WPN is not to be held liable in any way for harms suffered as a result of this service.

This magazine is only sent into women's prisons. Ads are not on the web version.

**NOT
AVAILABLE
ONLINE !**

Good judgment comes from experience, and often experience comes from bad judgment.
- Rita Mae Brown

**Incarcerated in Canada?
Need Information?**

Write On! is an all-volunteer group whose goal is to support prisoners in Canada by researching the information you need, such as:

General legal info, prison rules & policies, resources, programs, services, etc.

Write to us at:

Write ON!
234-1110 Cumberland St,
Toronto, ON, M5R 3V5



Prison Visiting Rideshare Project

The Prison Rideshare is an ongoing project of Bar None to connect people with rides to visit their friends and loved ones who are in prison in Manitoba.

If you or someone you know is interested in getting a ride to visit one of southern Manitoba's prisons, if you are interested in volunteering, or for more info contact: barnone.wpg@gmail.com

Rides can also be arranged by phone or text message: 204-599-8869 (It's ideal to request a ride at least 5-7 days in advance).

Children of Inmates Reading Program (ChIRP)

"Reading aloud is the single most important thing a parent or caregiver can do to help a child prepare for reading and learning"

"Reading is the gateway to future success in life and in school"

BCFI's commitment to the successful re-integration of inmates and to stronger, healthier communities includes the development of Children of Inmates Reading Program (ChIRP). The mandate of ChIRP is to build and enhance a healthier parent/ child relationship, develop literacy and listening skills, increase vocabulary and attention spans for children and promote a love of learning in children through the consistent presence of a parent and books.

For the past 10 years, Carla Veitch, a children's educator, has been successfully developing and operating a parent/child reading initiative. Twice a month, Carla, along with another volunteer, enter the institution and offer men the opportunity to select a book for their child and then read that book into a recording device. The book and recording are then mailed to the child. This initiative provides a direct connection for the child with his or her incarcerated parent. In addition to the opportunity of hearing a parent's voice, the reading initiative underscores the value of reading and the importance of books. For a number of the participants, reading aloud to their child has not been part of their pattern of parenting, nor was it modeled for them as part of their early childhood years.

Children are never responsible for their parents' choices. At the same time, they are the hidden victims not only in the justice and correctional system, but also within our larger community.

Book Clubs for Inmates
720 Bathurst St.
Toronto, ON, M5S 2R4
www.BookClubsForInmates.com

A life of reaction is a life of slavery,
intellectually and spiritually.
One must fight for a life of action, not
reaction.

- Rita Mae Brown

Penpal Program for Gay, Queer, Trans Prisoners

The Prisoner Correspondence Project runs a penpal program for gay, lesbian, bisexual, transsexual, transgender, and queer prisoners in Canada, pairing them up with gay and queer and trans people outside of prison for friendship and support.

We also coordinate a resource library of information and resources related to health, sexuality, and prisons - get in touch with us for a list of resources we have, or for details.

If you want to be paired up with a penpal, please send a short description of yourself & interests to:

Prisoner Correspondence Project
c/o QPIRG Concordia
1455 de Maisonneuve W.
Montreal, QC, H3G 1M8

Please indicate French or in English. Veuillez svp nous indiquer anglais ou en français.



Nov. 20 is Transgender Day of Remembrance

Nov. 20 is Transgender Day of Remembrance (TDoR), an international event commemorating people killed due to anti-trans violence. In the last year, 369 trans or non-binary people have been killed globally.

And it's a Canadian problem too: 74 % of trans youth in Canada have been harassed at school, and 37% have experienced physical violence.

Facts about HIV and HCV

With some exceptions, HIV and HCV infection is generally more prevalent among women than men in prison, particularly among those who have a history of injection drug use.

In a study of provincial prisons in Quebec, the HIV and HCV rate among incarcerated women was, respectively, 8.8 and 29.2 percent, compared to 2.4 and 16.6 percent among male prisoners.

In a study of female prisoners in British Columbia (B.C.), self-reported rates of HIV and HCV were 8 percent and 52 percent, respectively.

In a 2007 nationwide survey by CSC, the HIV and HCV rate among federally incarcerated women was 5.5 and 30.3 percent, compared to 4.5 and 30.8 percent among federally incarcerated men. Aboriginal women reported the highest rates of HIV and HCV, at 11.7 and 49.1 percent, respectively.

While the majority of women in prison are voluntarily tested for both HIV and HCV, the provision of pre- and post-test counselling has been reported to be poor, and in some cases, non-existent.

Women in prison are more likely than women in the general population to have faced violence and abuse; therefore, counselling accompanying HIV diagnosis is particularly important. Women in prison have concerns about the privacy and confidentiality of their HIV status.

Women have reported being forced to draw unwanted attention. Women (37.0%) reported being HCV-positive. Aboriginal women were identified as a particularly high-risk group because they reported the highest rates of HIV (11.7%) and HCV infections (49.1%).

These data highlight the need to ensure that culturally appropriate, effective interventions that decrease risk-behaviours and increase utilization of harm-reduction measures are offered to meet the needs of Aboriginal women.

Important Hep C Update!

New treatments with excellent success rates are now available!

These are in pill form and have little or no side effects. The downside is the cost of course: \$1000+ per pill.

Vosevi is a combination of sofosbuvir, velpatasvir and voxilaprevir. These three drugs are combined into one tablet. It is taken once a day with food for 12 weeks.

Federal Prisoners: *Great news, now you can start your treatment while inside!*

Provincial/Territorial Prisoners: *Only BC & ON provide treatment. Elsewhere, you will have to wait till you get out.*

- When released, get right on welfare or disability.
- Federal health care programs like NIHB & IFH may cover costs.
- Go to a Clinic and get your blood test done so you can get into a Treatment Program at no cost to you.

There are 2,700 with chronic hep C in Federal prisons.

There are 4,380 with chronic hep C in Prov/Terr prisons.

All Federal prisoners with hep C are now eligible for treatment.

BC & ON Prov prisoners with hep C are now eligible for treatment.

Hep C = 18-30% of prisoners
HIV = 1-5% of prisoners

Do Not Share or Re-Use:
needles, ink, ink holders, rigs,
- anything in contact with blood! -

**BLEACH DOES NOT
KILL HEP C**



F.E.A.T. - Family Visitation

F.E.A.T. for Children of Incarcerated Parents was founded in 2011 to support the needs of the over 15,000 children in the Greater Toronto Area that have a parent in the criminal justice system.

F.E.A.T.'s Family Visitation Program provides weekend transportation from Toronto to correctional facilities in Southern Ontario for children and families to visit imprisoned loved ones.

During our trips, F.E.A.T provides free snacks and refreshments, offers a variety of games and activities, and plays movies.

Our bus is a place where youth and families have a chance to talk about their experiences of having a loved one inside and receive support from mentors and other riders.

Our Family Visitation Program is free for anyone 18 years old and younger. If you are interested in participating in our program, please call or email F.E.A.T. to register today.

For more information or to book a seat on the bus please contact Jessica or Derek Reid:

info@FeatForChildren.org
416-505-5333

A Child of an Incarcerated Parent

The Reality

- *Every year over 150,000 adults are remanded into custody which results in approximately 180,000 innocent children who suffer from the traumatic effect of parental incarceration*
- *Over 5,000 children are impacted by parental imprisonment in the GTA*
- *The number of children affected by parental incarceration only increased with the passing of the Crime Bill C-10*

The Need

- *Despite the growing prevalence of these innocent victims the resources available are minimal*
- *The cost and lack of accessibility to correctional facilities restrict child-parent visits. Consequently, some children can never visit their incarcerated parents*

The Impact

- *Children of incarcerated parents grieve the loss of their parent*
- *These children are four times more likely to be in conflict with the law*
- *Social stigma of incarceration causes some families to avoid discussing the absence of a parent*

Research suggests that parental incarceration has a detrimental impact on children. These innocent children suffer the traumatic experience of being separated from their parent. Following parental imprisonment, children are faced with a myriad of challenges including:

- *feelings of shame, grief, guilt, abandonment, anger*
- *lowered self-esteem*
- *economic instability*
- *social stigma and isolation*
- *disconnection from parent*
- *insecurity in familial and peer relationships*
- *school absenteeism, poor school performance*
- *difficulty in coping with future stress & trauma*
- *compromised trust in others including law enforcement*

FeatForChildren.org ~ 416-505-5333

Prison Radio

- Halifax – CKDU 88.1 FM
Black Power Hour – Fri 1:30-3 pm
Youth Now! – Mon 5-6:30 pm
- Montreal – CKUT 90.3 FM
PRS – 2nd Thurs 5-6 pm & 4th Fri 11-noon
- Guelph – CFRU 93.3 FM
Prison Radio – Thurs 10-11 am
Call-in 519-837-2378
- Vancouver – CFRO 100.5 FM
Stark Raven – 1st Mon 7-8 pm
- Kingston – CFRC 101.9 FM
Prison Radio – Wed 7-8 pm

This program features content produced by CFRC volunteers and by other campus and community radio broadcasters, including CKUT Montreal's Prison Radio and Vancouver Co-op Radio's Stark Raven programs.

The last Wednesday of each month, CPR features 'Calls From Home', sharing letters, emails, voice messages and music requests by and for prisoners and their loved ones.

Prisoners and their loved ones are invited to contribute music requests, messages and suggestions for the program.

Write: CPR c/o CFRC, Lower Carruthers Hall, Queen's University, Kingston, ON, K7L 3N6
Email: CFRCprisonradio@riseup.net
Call: 613-329-2693 to record a message or music request to be broadcast on-air.

PRISONERS JUSTICE DAY

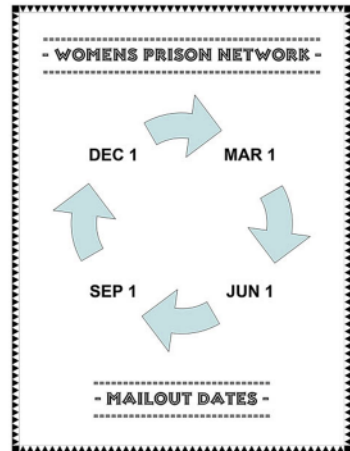
☞ In Remembrance ☞
- August 10 -

There are more than 200 Unnatural
Prisoner Deaths in Canada.
- Each and Every Year -

We maintain a PJD 'In Remembrance' page on our website for Prisoners who have died in Federal and Provincial Prisons, Remands, Lock-ups and Parole in Canada.

If you wish to have someone remembered there, send us a note or email and we will honour your request.

PJD@PrisonFreePress.org



Women's Prison Network Summer 2020 - Issue #19

PO Box 39, Stn P
Toronto, ON, M5S 2S6

info@WomensPrisonNetwork.org

visit, download, print, donate!
WomensPrisonNetwork.org

Fall Issue #20 mailed out:
Sep 1, 2020
Send in your work before:
Aug 1, 2020

Women, Trans & Youth Prisoners:
Wish to receive 'Women's Prison Network'?
Contact us & we will add you to the mailing list!
Please let us know if you move.
This magazine is by and for you.
Thank you for sharing!
