

WOMEN'S PRISON NETWORK



ISSUE #31 - SUMMER 2023

< Editor's Note >

Welcome to Issue #31 of Women's Prison Network, a zine by & for women, trans & youth prisoners on Treaty Lands with Canada.



In every Issue we strive to provide a safe space for creative expression, informative news & support resources. These zines feature art, poetry, stories, news, observations, concerns, & anything of sincere value to share. Health & Harm Reduction info will always be provided, of course - Yes, Do Be Safe!

Quality & Quantity:

Items printed are those that are common for diverse readers, so no religious items please. Artwork: Black pen (tat-style) works the best. Cover Artist will receive a \$25 donation. Writings: only short poems, news, stories, ... Items selected are those that fit nicely & allow space for others (1/2 page = 300 words max). For author protection, letters & story credits will all be 'Anonymous' unless requested.

'Women's Prison Network' is published 4 times per year. It is sent out for free to Women, Trans & Youth in Prisons in Canada. If you are on the outside or part of an organization, please consider a donation!!!

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Canadian Charter of Rights & Freedoms

- The right of life, liberty and security of person (Section 7).
- The right not to be arbitrarily detained (Section 9).
- The right not to be subjected to cruel and unusual punishment (Section 12).
- The right to be equal before and under the law (Section 15).

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We respectfully acknowledge that the land on which Prison Free Press operates is the Traditional Territory of the Wendat, the Anishnaabeg, Haudenosaunee, and the Mississaugas of the New Credit First Nation.

~ 'Dish With One Spoon' Wampum ~

If I don't speak,
this silence is also going to kill me.
- Rehana Hashmi

You can stand tall without standing on someone.
You can be a victor without having victims.
- Harriet Woods

Class-action lawsuit over strip searches in prisons certified by Ontario judge

Federal prisoners who allege that degrading strip searches are being illegally conducted on them have won the right to go ahead with a class-action lawsuit against the government.

Their lawsuit - certified last week by an Ontario judge - accuses the federal prison system of conducting at least half a million illegal strip searches between 2014 and 2020. The prisoners are seeking \$900-million in damages for what they call assault, unlawful confinement and a violation of their constitutional rights.

The class action, the first to involve routine searches of prisoners in Canada, takes aim at searches known as "suspicionless," which are allowed under federal law where prisoners may have access to contraband, such as weapons or drugs. The suit contends the searches are being done where there is no reasonable chance of contraband: when leaving a prison for such things as medical visits, or because they have served their sentence; leaving a secure area; entering a family visiting area; and in transfers between prisons.

The lawsuit details the practices it says happen routinely to men and women in these searches – everything from flashlight inspections of orifices to orders to manipulate one's genitals and lift one's breasts, in front of officers of the same sex as the prisoner.

Just under 13,000 inmates sentenced to two years or more are incarcerated in federal prison.

The federal government presented an assistant warden in court who denied the searches are inherently degrading, despite a 2001 Supreme Court ruling that found police strip searches to be so, no matter how they are carried out. The government argued that the lawsuit's goal of changing the way the prisons are run is unnecessary, because the Correctional Service of Canada has individual search plans based on the needs of each prison, adjusted as needs arise.

But Ontario Superior Court Justice Benjamin Glustein dismissed the argument, saying that based on the assistant warden's refusal to accept the Supreme Court's view of strip searches, "it is unlikely there will be any change in the circumstances or manner in which suspicionless strip searches are conducted without a class action."

He said the allegation of 500,000 unlawful, unnecessary strip searches is a conservative estimate, based on the 660,000 permissions to leave prison between 2014 and 2020, many for escorted absences such as medical leave.

His ruling to certify the lawsuit is a procedural step that lets the lawsuit go ahead to determine whether the prisoners' rights were violated, and if so, what damages the government must pay.

The lawsuit cites the experiences of two federal prisoners in particular, Kimberly Major, 55, who says she suffered sexual abuse in childhood, and physical, emotional and sexual abuse from an intimate partner as an adult, and served time for fraud; and Michael Farrell, a 51-year-old who says he endured physical and sexual abuse in the child-welfare system, and served time for drug offences.

In an interview, Ms. Major (who has been free since 2018) described being strip-searched four times in two days, on her transfer from provincial custody to federal at the beginning of her sentence: "I was in their care and custody that whole time. Why did it need to happen so many times? The whole process is absolutely degrading, demoralizing, invasive, traumatizing and just out-and-out abuse.

"You can imagine having to stand in front of someone and strip down to nothing ... so they can inspect you, every corner of your body."

She said after family visits, the prisoners would be lined up, and one would be selected at random for a strip search. As a result, she had to think about whether a family visit was worth the risk of what she considered to be abuse. "To know that there was a possibility ... it was awful."

Mr. Farrell told the court that strip searches are "particularly traumatic for me because of the sexual abuse I suffered as a child."

Kent Elson, a lawyer who brought the lawsuit along with the Canadian Civil Liberties Association, said the issue is not one of safety versus rights. "It doesn't benefit safety or society to be strip-searching people unnecessarily. These people are going to be released, and traumatizing them in prison is not preparing them for life on the outside."

Sean Fine
Globe and Mail
Mar 7, 2023

Ontario, Bell won't say how much money they made from inmate phone calls

Neither Bell Canada nor the Ontario government will say how much money they made from a jail phone system that charged what lawyers describe as "exorbitant" rates for inmate calls over eight years.

Bell operated the Offender Telephone Management System from 2013 to 2021 - which allowed inmates to only place collect calls - at a flat rate of \$1 for local calls, but about \$1 per minute plus a \$2.50 connection fee for long-distance calls, according to a recent Appeal Court decision.

The rates were four times higher than those charged to inmates in other provinces, a lower court judge found. The new phone system now in place under a different company includes long-distance rates of a few cents a minute.

As well, the province took a commission on the money Bell made from those calls - which the court said numbered about 15,000 a day.

The government declined to provide the amount collected or explain why it collected a commission, in response to queries from The Canadian Press.

But a request for proposals for the phone system, issued in 2012 under the Liberal government of the day, called for proponents to include a monthly commission rate of "no less than 25 per cent of the gross revenue."

"It makes me feel sick to my stomach," former inmate Vanessa Fareau said of the profits generated from the phone calls.

"Most people are calling their loved ones... Their loved ones didn't commit a crime. You know what I mean? And this is who ends up paying for these phone bills and having to go into debt, having to struggle financially."

Fareau has been incarcerated a few times in the Ottawa-Carleton Detention Centre - largely, she says, on remand or for breaches of probation - and needed to make calls to arrange child care and keep in touch with her kids. She alleges her calls were subject to long distance rates as she lives on the Quebec side of the National Capital Region.

Fareau is one of two representative plaintiffs in a proposed class-action lawsuit against Bell and the province. The other is Ransome Capay, the father of Adam Capay, an Indigenous man held in

solitary confinement in northern Ontario jails for more than four years.

Capay frequently spoke with his son while he was in solitary, with the charges from the collect calls leading to phone bills between \$250 and \$500 - some over \$1,000, he wrote in an affidavit.

"I live on the Lac Seul reserve and my son was being held in Kenora and Thunder Bay," Capay wrote. "Phone calls were the only way to maintain basic contact with my son over the 4.5 years he was held in solitary confinement."

More than 70% of the people in Ontario's correctional facilities are on remand - accused but not convicted of a crime, awaiting bail or trial - according to a 2019 auditor general report.

The recent Appeal Court ruling on the proposed class action put a temporary stay on the case. The ruling said the case should instead go before the Canadian Radio-television and Telecommunications Commission to assess "the reasonableness of the rates."

If the CRTC decides it doesn't have jurisdiction, the case could go back to the courts, the judges ruled.

Lawyer David Sterns said he and his team will pursue the case to the end, no matter the venue.

"You can't get family members to, in a sense, subsidize the government because they have relatives who are incarcerated," he said in an interview.

"The telephone lines are a lifeline for prisoners' mental health. You can't bring a cellphone into a prison, and so the only way you can get to talk to your family and loved ones is by using the Bell system, and Bell could effectively charge them whatever they wanted to charge them and they would still have demand, because when you're desperate, you pay whatever you have to pay."

The proposed class action seeks more than \$150 million in damages and restitution equal to the money paid by those affected.

"To maintain phone contact with family and the outside world, prisoners had one option, and one option only: collect calls to landlines at exorbitant and unconscionable prices extracted from anyone who accepted the calls or otherwise paid for them," lawyers argue in the statement of claim.

The claims have not been proven in court. Bell Canada largely directed all questions about the phone system and ensuing court case to the province.

"The provincial government sets the terms of service for the calling system provided in Ontario correctional facilities," a spokesperson wrote in a statement.

Fareau said she bristles whenever she sees the Bell Let's Talk mental-health campaign.

"People who are incarcerated are at their lowest point in their mental health, lowest, and you're taking advantage of them by having them or their loved ones be overcharged for collect calls on phone calls that don't even work, function properly," she said, describing spotty or low-quality service at times. "They should be ashamed."

In about May 2020 the phone system was changed to allow inmates to make prepaid calls, instead of just collect, which the lawyers argue shows Bell and the government had the ability to do that since 2013.

Solicitor General Michael Kerzner wrote in a statement that updating the phone system, including the new lower rates, is part of modernizing the justice system.

"Telephone communication between inmates and their families is important for their overall well-being and eventual reintegration back into our communities, and these changes will help do exactly that," he wrote.

Allison Jones
The Canadian Press
May 16, 2023

Jail where immigration detainee was held had one psychiatrist for 20 hours/week for 1,200 inmates

A maximum-security jail only had one psychiatrist available on site for 20 hours a week for 1,200 inmates during the time when an immigration detainee with serious mental health illnesses was held in the facility, an inquest has heard.

The nursing staff at Central East Correctional Centre, including 19 RNs and 7 RPNs, were stretched to provide the level of personalized care that mental health patients would need, the jail's health-care manager testified at the inquest into the death of immigration detainee Abdurahman Ibrahim Hassan.

"One of the biggest things, I feel, is that mental health manager role. That is very important. That

is very needed ... looking at the coverage of care we have and ensuring that there's enough and appropriate nursing staff for that area of care", Cathy Goard, herself a registered nurse, testified Thursday.

Hassan, who had schizophrenia, bipolar disorder and PTSD, had been held at the prison in Lindsay, Ont., since 2013 after being bounced from jail to jail for a year. He was often in segregation due to issues with other inmates while awaiting deportation to Somalia.

On June 3, 2015, he was found to be unresponsive in his cell and was taken to the Peterborough Regional Health Centre for seizures. The 39-year-old man died eight days later after a struggle in his hospital room under the guard of two paid-duty police officers.

The 15-day inquest is meant to review the circumstances of Hassan's death to prevent such incidents in future. The coroner's counsel has suggested the cause could have been cardiac arrhythmia related to schizophrenia and antipsychotic medication, physical struggle and restraints, or asphyxia.

Part of the scope of the inquest is to examine the care Hassan received before his admission to the hospital.

Goard, who started working as an RN at the Lindsay jail in 2003 and has been its health-care manager since 2015, said the facility was allotted 42 physician hours and 20 psychiatrist hours a week by the province during the time Hassan was held there.

One nurse was responsible for 192 inmates and required to do medication rounds, provide treatment and dress wounds, among other duties. They were often pulled in different directions and stretched to give proper attention to complex psychiatric issues.

Goard said Hassan had a long history of non-compliance with his prescribed medications, and experienced a "roller coaster" of behaviour and emotions. He had had numerous physician and psychiatrist appointments cancelled due to a variety of factors such as backlogs. On some occasions, he refused to attend and staff could not force treatment.

"He had many ups and downs where he had very little insight into his medical issues, and then he would do well again. There's some intermingling (when) he thought he was getting out of it and going to be discharged, he would do

well ... He thought he was going to be deported, then he went downhill again," Goard recalled.

"There are many issues he would bring up in regards to whether he wanted to take meds or not. And some of them were to do with his Canada border services stressors, his deportation."

In April 2015, at Hassan's request, a physician at the jail referred him to the St. Lawrence Valley Correctional and Treatment Centre, a psychiatric hospital and correctional facility, where he had stayed briefly in 2007 while serving a criminal sentence.

The request was turned down because Hassan was an immigration detainee, though there could have been a chance of admission had he been referred by a designated psychiatric facility.

Being placed in segregation did not help someone with mental illnesses, Goard noted.

"When you are unable to get out of your cell and interact with others in your room, your mind is going to think a lot and maybe ruminate over things," she said.

Goard was questioned by coroner's counsel Jai Dhar about the changes in the medical staffing and health care for inmates at the prison since Hassan's death, especially in response to recommendations from a June 2022 inquest into the hanging deaths of three inmates in separate incidents in Lindsay.

The facility is now funded for 29 RN and seven RPN positions as well as 12 mental health nurses, though it's been hard filling the jobs amid nursing shortages. A psychologist is also on board to build a team to do counselling and take over most of the suicide-watch list.

Segregation of mental health inmates is legally prohibited and those held in what's now known as the "special care" or "stabilization" unit can spend two hours a day outside of their single cell to exercise in a fenced yard or listen to music, watch TV and play cards and games in a day room.

Goard said the Ministry of the Solicitor General, which oversees the corrections services, has completed a comprehensive review of the health-care program, policy and procedures at Lindsay. The management is in the process of coming up with a plan to address gaps.

Under cross-examination, Goard said mental health disorders are common among inmates,

who often manifest "unpleasant behaviour" such as spitting, smearing feces and biting.

"It's your approach. It's how you interact. You want to de-escalate, not escalate. You would be talking in a calm and cool manner, focusing on the situation, trying to use soft language, showing you care for your patient," Goard said about her approach to inmates in distress.

"We're really there to help them and try and de-escalate and get them the care they need."

The inquest resumes on Friday.

Nicholas Keung

The Star

Jan 26, 2023

If you think you're too small to make a difference, you've obviously never been in bed with a mosquito.

- Michelle Walker

Night time is really the best time to work.

All the ideas are there to be yours because everyone else is asleep.

- Catherine O'Hara

Years ago fairy tales all began with "Once upon a time...", now we know they all begin with, "If I am elected..."

- Carolyn Warner

No person is your friend who demands your silence, or denies your right to grow.

- Alice Walker

We live in an era where masses of people come and go across a hostile planet, desolate and violent.

Refugees, emigrants, exiles, deportees.

We are a tragic contingent.

- Isabel Allende

As long as you keep a person down, some part of you has to be down there to hold the person down, so it means you cannot soar as you otherwise might.

- Marian Anderson

Don't let one cloud obliterate the whole sky.

- Anais Nin

More detentions won't improve public safety

There are more legally innocent people awaiting their trials in Canada's overcrowded and often unsafe jails than there are convicted offenders in the same provincial and territorial detention centres.

Yet, Federal Justice Minister David Lametti recently announced the government will take steps that will result in more Canadians being detained by courts prior to their trial.

It's a move he said meant to "make Canadians feel safer."

But the illusion of safety is not tantamount to actual safety. And, in this case, creating that illusion will not only be ineffective, it will be detrimental to society in the long-term. And its comes at a cost of \$120,000 per inmate, per year.

Increasing public safety through detention and imprisonment has long been proven to fail. Most people leave pretrial detention worse off than when they went in, with their mental health exacerbated, their chances of keeping or finding employment reduced, their housing at stake and their connection to their community cut off.

To understand the harm caused by pretrial detention, we need to look at the realities of provincial jails, where pretrial detention occurs.

First, since pretrial detainees are legally innocent, they are held in a kind of prison purgatory, with almost no access to rehabilitative or educational programs, therapy, or spiritual counselling. Upon release, many detainees leave jail in a deteriorated state.

Second, conditions in provincial jails range from inadequate to deplorable. Jails across the country are overcrowded or understaffed. This often results in lengthy lockdowns preventing detainees from leaving their cells for 23 hours at a time, if not for days, depriving them of fresh air, exercise, and contact with relatives and lawyers.

Furthermore, Canada's detention system remains fraught with systemic and institutional bias against Indigenous and Black persons. Despite Supreme Court rulings and laws intended to curb the mass-incarceration of Indigenous persons, they continue to be grossly overrepresented in prisons. In Manitoba and Saskatchewan, for example, 75 per cent of those in pretrial detention are Indigenous. Our jails are being used to perpetuate the travesties of the Indian Act and

of residential schools, and to entrench anti-Black racism.

The marginalization continues: a disproportionate number of those detained in Canada's prisons have low educational levels, are poor, and suffer from serious mental illness.

In effect, jails serve as warehouses for segments of the population that populists and tough-on-crime politicians would rather keep out-of-sight and out of mind. This must not be. Further restricting bail conditions, as Lametti has proposed, will disproportionately and unjustly impact vulnerable and already disadvantaged populations.

There is no proof that spending months in pretrial custody will improve public safety in the long-term. In fact, given the conditions of our jails, these draconian practices often make society less safe.

How do we expect to increase public safety, when it's almost impossible for anyone to exit these inhumane institutions better than when they went inside? How do we expect to decrease crime, when we fail to do what is required to prevent it?

Instead of adding to the number of people who rot in jail and get exposed to criminality while awaiting trial, the federal government should focus on creating a society where people are less likely to use guns to commit crimes.

That is a fairer, more inclusive and equitable society, where individuals and families have a social safety net, where mental health and developmental needs are adequately supported early on. It is a society where every child receives a good education and where people have a community, a safe home, and attainable economic and creative opportunities. And where those who pose a significant risk to society receive targeted treatment and programming rather than being locked up with the key thrown away for months or years.

Dyanoosh Youssefi
Opinion - The Star
Mar 20, 2023

*Life is either a daring adventure or nothing at all.
Security is mostly a superstition.
It does not exist in nature.*

- Helen Keller

Premiers' call for bail reform will kill more people than it saves

Between 2018 and 2022, 163 prisoners died in Ontario provincial jails.

Over the same time period, eight Ontario police officers died on duty. The data very clearly indicates that a person who becomes incarcerated in Ontario is 20 times more likely to die in custody than a police officer is to be killed on duty over the past five years.

Despite this, the death of an OPP officer late last year has sparked Canada's premiers to call for bail reform that would restrict bail access for more prisoners. The man accused of killing Const. Grzegorz Pierzchala was out on bail at the time of the shooting and had a lifetime ban on owning a firearm.

The premiers' call for reform has also been taken up by the Conservative Party in Ottawa. This reform will most certainly do more to further the deaths of prisoners than save the lives of officers.

Instead of viewing the tragic deaths of police officers in a vacuum, they must be viewed together with the hundreds of people who have died while being denied bail.

Prisoner deaths have more than doubled

As many criminologists have clearly stated, "recent police deaths do not constitute a trend." Whereas the opposite is true for the people who are dying at alarming rates inside of our prisons. In 2022 alone, 49 prisoners died in custody in Ontario. This number has more than doubled in the last 10 years, despite decreasing prison populations.

According to provincial statistics, 76% of prisoners who died in Ontario jails in 2020 were between the ages of 25 and 49, clearly demonstrating shortened life expectancy for prisoners. Importantly, as the number of prisoner deaths has increased, so has the percentage of prisoners denied bail. If the government is concerned about reducing violence and death, it should be looking at how to release prisoners, not how to create more of them.

Currently if one is accused of a crime the Crown must provide evidence that pre-trial detention is necessary. But if one commits a "violent crime" the accused has a reverse onus to prove that that pre-trial detention is unnecessary. The

premiers' reforms include expanding the definition of "violent crimes" so more people will have this reverse onus, thereby locking more people in cages while awaiting their trials.

Expanding definition of 'violent crime'

The Criminal Code of Canada does not provide for a "violent crime" classification. According to Statistics Canada, for the purposes of producing crime statistics, a violent crime is defined as follows: "Crimes against the person involve the use or threatened use of violence against a person, including homicide, attempted murder, assault, sexual assault and robbery." The premiers call for the creation of a reverse onus for those charged under Section 95 of the Criminal Code, which includes offences that do not fall under the current "violent crime" definition.

And according to the federal leader of the Conservative Party, Pierre Poilievre, "carjackings" and "stranger attacks" are two of the crimes that should be considered for more stringent bail conditions.

What the premiers and the Conservatives in Ottawa don't understand is that there are many situations which, if labelled as "violent crimes," would place vulnerable people at higher risk of incarceration. Especially, if the range of "violent crimes" becomes wider.

A person living in poverty throwing a ticket at a police officer would be considered assault. A woman fleeing domestic violence throwing a hair dryer at her abuser as he approaches to attack her would be assault. Both of these scenarios are not "what ifs" - they have both occurred and been considered assault. Under the new bail reform proposal, could both of the above examples be considered a violent crime requiring a reverse onus?

Who are we willing to sacrifice?

Bail reformers are concerned with accused persons who are out on bail and breach the conditions. But only 18% of people released on bail breach the terms of their release, and 98% of those bail breaches do not involve violence.

Many offences in the criminal code already attract reverse onus provisions. The recent call to reform bail policy and public statements made by government officials do not reflect an understanding of the consequences that would

flow from reverse onus provisions on all "violent crimes."

Those consequences are the difference between life and death; people will die if the bail reforms are passed. We must consider whose lives we value, who we are willing to sacrifice, and in the name of what? More deaths in the name of a reform proven to be unnecessary and harmful is a sacrifice we should not be willing to make.

The University of Ottawa Prison Law Clinic
CBC Opinion
Feb 24, 2023

Race is closely tied to who gets bail - that's why we must tread carefully on bail reform

Over four decades ago - on April 17, 1982 - Queen Elizabeth signed the Constitution Act, which included the Canadian Charter of Rights and Freedoms.

The Charter enshrined - and therefore placed outside the reach of capricious lawmaking - certain fundamental rights and freedoms guaranteed to all Canadians. The right to reasonable bail is among them.

The right to bail recognizes that the state is constitutionally burdened with establishing an accused person's guilt before unduly or unjustly denying or abridging their right to liberty, especially in reaction to short-term public outrage.

Canadians should consider the collateral consequences of pre-trial detention, including job loss, stigmatization, family breakdown and homelessness. Also, when denied bail, research shows accused people are more likely to enter into rash and ill-advised plea bargains or plead guilty despite having a viable defence.

A disturbing number of inmates in provincial detention institutions have either been denied bail or are awaiting a bail hearing. These inmates often face egregious prison realities, ranging from draconian lockdown policies to a lack of meaningful access to legal counsel and basic hygiene.

The often overlooked problem with Canada's bail system is not the laws surrounding bail, per se, but the need to ensure that criminally accused people receive fair access to bail - and that those

who receive bail have the necessary opportunities to thrive while they await trial.

In the aftermath of the shooting death of Ontario Provincial Police Const. Grzegorz Pierzchala, allegedly by a young Indigenous man out on bail, all 13 premiers called on Prime Minister Justin Trudeau to strengthen Canada's bail system.

In response to their concerns, the Parliamentary standing committee on justice and human rights is currently studying the bail system.

Bail is often regarded by accused people and their lawyers to be an act of judicial and prosecutorial benevolence or leniency. But it's increasingly used as a proxy for punishment, advancing tough-on-crime political agendas and stirring up hysteria around public safety.

Canadians must be mindful of political rhetoric around bail reform and instead closely consider the negative implications that a "tougher" bail system has on constitutional rights and the lives of marginalized and racialized accused people.

In fact, the Supreme Court of Canada has warned lower courts to avoid relying on factors extraneous to the bail system in determining who gets bail. These factors can take the form of entrenched attitudes around race and risk.

How we come to know and construct risk and, more importantly, how risk is often associated with race are all salient questions that require careful examination.

The relationship between risk construction and apportionment of blame is closely tied to race. Scholars have even argued that discussions on risk prevention - and I would add risk management and mitigation - cannot be separated from race.

That means those considering who gets bail must reflect on their own beliefs and show restraint as they determine risk to avoid relying on false racist narratives - for example, that Black and Indigenous people are dangerous and risk-prone.

Thirty years ago, Ontario's Court of Appeal observed in *R v Parks* that examined the manslaughter conviction of a Black drug dealer accused of killing a white drug user:

"Racism, and in particular anti-Black racism, is a part of our community's psyche... Furthermore, our institutions, including the criminal justice system, reflect and perpetuate those negative stereotypes. These elements combine to infect

our society as a whole with the evil of racism. Blacks are among the primary victims of that evil.”

Unfortunately, voluminous social science research suggests this observation is as relevant today as it was three decades ago. The data also suggests that institutionalized racism, particularly within the criminal justice system, is difficult, if not impossible, to remedy.

However, to the Supreme Court of Canada's credit, recent bail decisions like *R v Antic* have signalled to bail jurists, Crown prosecutors and lawmakers to take a less punitive and carceral approach to bail.

In this case - involving a Windsor, Ont., man charged with drug and firearms offences and denied bail - the court emphasized the importance of ensuring imprisonment is used as a last resort.

It ruled he was erroneously denied bail, reinforcing that accused people are constitutionally presumed innocent and should benefit from a constitutional right to bail - and that there is a constitutional right not to be denied bail without just cause.

In fact, for years, at least since the Supreme Court's 1992 decision in *R v Pearson*, the constitutionality of reverse onus provisions have been discussed.

In a reverse onus situation, it's presumed that accused people should be detained while awaiting trial unless they can demonstrate to the court that there's no just cause for their detention.

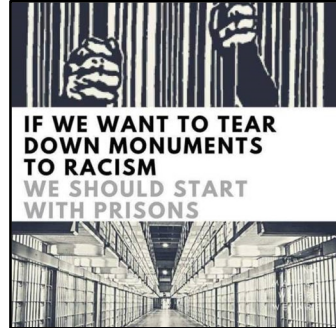
The Pearson ruling involved the case of a convicted drug trafficker. It established that while reverse onus provisions are an affront to the constitutional rights of Canadians, they can be enabled by Sec. 1 of the Charter, which guarantees rights and freedoms subject “only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.”

Nonetheless, a less punitive and carceral approach to bail is wise - any erosion of Canadians' constitutional rights threatens the integrity and the long-term repute of the justice system.

The Supreme Court is seeking to balance the liberty of those accused of crimes and other constitutional rights - for example, the

presumption of innocence and the right to reasonable bail - with the concern about the risk accused people may pose to public safety. But despite its careful interpretations, bail remains a highly political and legally charged process in terms of public perceptions.

Danardo Jones
The Conversation
Apr 5, 2023



A drawing - whether it becomes a window, a mirror, a weapon, or a tool - is always also a lifeline.
- Andrea K. Scott

There are two ways of meeting difficulties. You alter the difficulties or you alter yourself to meet them.
- Phyllis Bottome

Hot water is my native element. I was in it as a baby, and I have never seemed to get out of it ever since.
- Edith Sitwell

The more that you read, the more things you will know.
The more that you learn, the more places you'll go.
- Dr. Seuss

Just because everything's different, doesn't mean anything's changed.
- Irene Porter

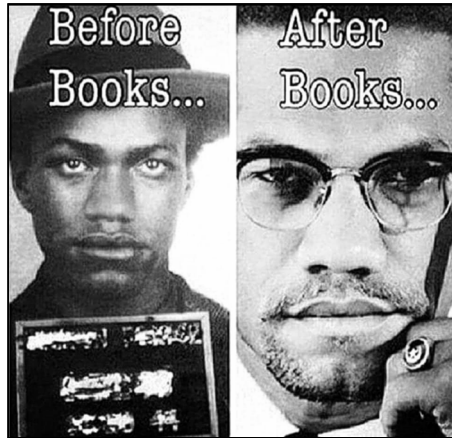
Book Clubs for Inmates (BCFI)

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



I have often reflected upon the new vistas that reading has opened to me. I knew right there in prison that reading had changed forever the course of my life. As I see it today, the ability to read awoke inside me some long dormant craving to be mentally alive.

- Malcolm X

Prison Radio

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- Montreal – CKUT 90.3 FM
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Prison Radio – Thurs 10-11 am
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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.*



Toll-Free Support Line for SK Prisoners

For prisoners in Provincial jails & Federal prisons in Saskatchewan.

Funds will be used to help inmates purchase call packages to keep them connected to their family, help out with canteen for necessary things & for transportation home. Maintained by prisoner advocacy groups Beyond Prison Walls Canada and Inmates for Humane Conditions.

☎ 1-866-949-0074 ☎

Jail Accountability and Information Line (JAIL) for prisoners in OCDC

The Jail Accountability and Information Line takes calls from prisoners and their loved ones from 1:00pm to 4:00pm Mon to Wed. This line tracks issues experienced by people incarcerated at the Ottawa Carleton Detention Centre.

☎ 613-567-JAIL (5245) ☎

Jail Hotline for MCC, OCI, TEDC, TSDC & VCW

The Toronto Prisoners' Rights Project (TPRP) provides prisoners with free links to advocacy, referrals, information, and support through the Jail Hotline. This hotline is run by volunteers. It will take calls on:

*Monday - Saturday
9-11am & 2-4pm*

☎ 416-307-2273 ☎

Why a Jail Hotline?

Prisons and jails carry out human rights abuses every day because they do not think anyone is watching. We are here in solidarity and struggle with prisoners.

Who Should Call This Hotline?

Please share the hotline with your loved ones inside. We cannot accept calls from other prisons or jails or from people in the community.

If you need to contact us outside of the line, you can message us on social media or an email to:

TorontoPrisonersRightsProject@gmail.com

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).

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!
234-110 Cumberland St,
Toronto, ON, M5R 3V5*

NEW! Jail Hotline for EMDC

*Mon - Wed - Fri - Sat
9-11am & 2-4pm*

☎ 519-642-9289 ☎

In 2020, the most recent year for which data is available, about 77% of people in Ontario's jails were in custody awaiting trial.

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 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

Being a woman is hard work.

- Maya Angelou

I postpone death by living, by suffering, by error, by risking, by giving, by losing.

- Anais Nin

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

Transgender Day of Remembrance (TDoR), is an international event commemorating people killed due to anti-trans violence. In the last year, 375 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**



K.I.P. Canada - Family Visitation

Kids with Incarcerated Parents (K.I.P.) 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.

K.I.P.'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, K.I.P. 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 K.I.P. to register today.

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

*info.kipcanada@gmail.com
or by phone at: 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

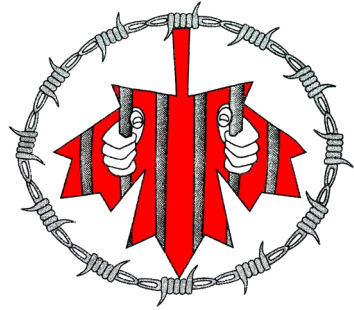
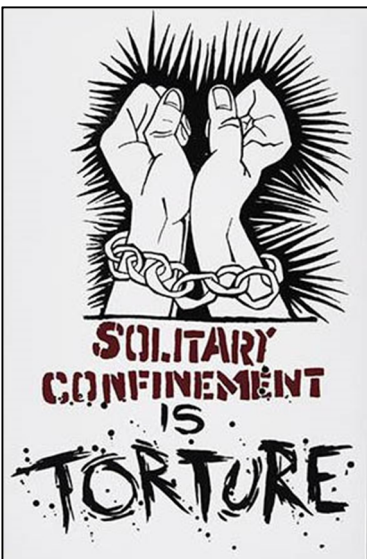
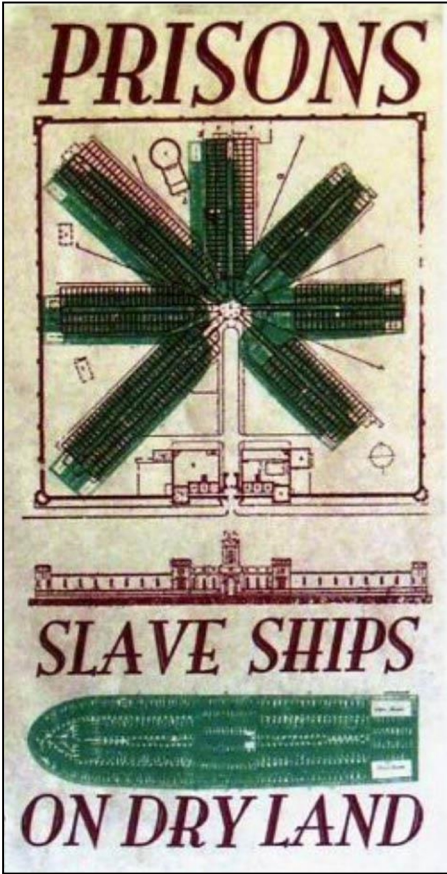
The Impact

- 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

www.kipcanada.org ~ 416-505-5333



Women's Prison Network
Summer 2023 - Issue #31

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

visit, download, print, donate:

WomensPrisonNetwork.org
info@WomensPrisonNetwork.org

> Mar > Jun > Sep > Dec >

Fall Issue #32 is mailed out:

Sep 1, 2023

Send in your work before:

Aug 1, 2023

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