

# **CLASS ACTION NEWS**



**ISSUE #17 : SPRING 2020**

< Editor's Note >

It is Spring & Issue #17 of 'Class Action News'. This magazine is by & for the Prisoner Class in Canada.



In every Issue we provide a safe space for creative expression and literacy development. These zines feature art, poetry, stories, news, observations, concerns, and anything of interest to share.

Health & Harm Reduction info will always be provided - Yes, 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 = 325 words max).

For author protection, letters & story credits will all be 'Anonymous'.

'Class Action News' is published 4 times a year & is free for prisoners in Canada. If you are on the outside or an organization, please send a donation. We do not have any funding so it really helps to get this inside!

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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' Treaty ~

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).

Is it surprising that prisons resemble factories, schools, barracks, hospitals, which all resemble prisons?

- Michel Foucault

< Letters >

## On Psychiatry

Psychiatrists (in my educated opinion) are bullies who use labels to condescend, prisons & institutions to isolate and false sciences (pseudosciences) to cripple the already vulnerable & less fortunate.

The psychiatrists I've witnessed killed my friend 'Chilli' in Dawson BC by having him confined to an energy-deficient environment as they are doing to me.

I feel psychiatry is the scum of our lives as they use out-dated policies and methods that keep us isolated from the 'real world'.

The 'real world' being: work, sex, love, nature (most important) and activity.

- Anonymous

< News >

## Prison inmates in Ontario might soon be allowed to call cell phones

It seems Ontario might finally be ready to move into the 21st century and develop a new system that would allow prison inmates to call cell phones.

That's right, the province's current Prison Phone Contract, which expires at the end of the month, only allows inmates to make calls to landlines.

On top of that, every outgoing call from an Ontario prison is a collect call, meaning the person on the other line is charged every time they receive a call from an inmate.

The contract was signed by the Ministry of Correctional Services and Bell back in 2013, prompting some to call Bell out for hypocrisy surrounding its #BellLetsTalk campaign and the Prison Phone Contract.

"For all @Bell says about 'talking about mental health' and 'ending the stigma,' thousands of people inside prisons literally \*cannot\* talk to their friends and family when they're experiencing a crisis or mental health issues," reads a tweet in a thread by the Toronto Prisoner's Rights Project.

So why does @Bell, a company that promotes themselves through mental health initiatives, contribute to these conditions and make it so

much harder for those in prison to get help? What use is #BellLetsTalkDay if Bell is making things worse the other 364 days of the year?

- Toronto Prisoners' Rights Project

(@letstalkjails) January 11, 2020

Bell and the ministry have also both been criticized for profiting financially off of this system.

"Unfortunately, stories of incarcerated persons' families being plundered by telecommunication providers, with the [Ministry of the Solicitor General] playing the enabler's role and receiving kickbacks in the process are the rule rather than the exception in Ontario," reads a report on Ontario's prison phone system by @CPEPgroup.

"This begs the following questions: How can the Ministry responsible for community safety and effective reintegration justify measures which serve as a barrier for these goals to be achieved, especially for families of prisoners that experience economic strain?"

- @Bell profits directly from the phone call costs, and the Ministry receives a kickback. That means both Bell and the government are gouging families trying to contact their loved ones and people reaching out to friends, then splitting the profits.

- Toronto Prisoners' Rights Project

(@letstalkjails) January 11, 2020

Thankfully, the harmful contract is coming to an end and the ministry is looking to replace it.

According to the Canadian Press, Kristy Denette, a spokesman for the Ministry of the Solicitor General, said the government is actively working on a procurement process for an inmate phone system that will allow for calls to cellphones as well as international numbers.

Better late than never, I suppose.

Mira Miller

BlogTO.com

Jan 18, 2020

When you are doing time, you have the time to realize how art can keep you free.

- Welmon Sharlhorne

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

- Andrea K. Scott

## **Suspending prison visits over COVID-19 sparks fears of inmate backlash**

*In an attempt to control the spread of the novel coronavirus, most visitations with inmates have been suspended indefinitely in Ontario jails and federal prisons across Canada.*

*The Ontario government has suspended all visits with family and friends, while Correctional Service Canada (CSC) has cancelled in-person visits entirely.*

*The move to prohibit personal visits has prompted fears for some that the lack of contact with loved ones will raise tensions within jails and prisons, leading to volatile situations.*

*CBC News spoke with the mother of an inmate inside the Elgin-Middlesex Detention Centre (EMDC) in London, Ont., who said she worries about the safety of her son on a regular basis but is fearful these new restrictions will amplify problems inside the jail.*

*"I honestly think that there'll be a riot," she said. "I am concerned that I'm going to get a call saying my son has been sent to the hospital - or worse, my son is dead."*

*Her concerns are fuelled by recent events in Italy, where 12 inmates were killed after riots broke out following lockdowns and suspension of family visits.*

*The new Canadian restrictions came into effect on Saturday.*

*Her son is currently awaiting a bail hearing for a non-violent criminal charge. CBC has agreed to not to identify the woman out of concern her son could be targeted for her comments.*

*Inmate well-being a priority*

*In a statement to CBC News, the Office of the Solicitor General in Ontario said that they are doing everything they can to prevent the spread of COVID-19.*

*They added that the "health and well-being of staff and those in our custody are a priority."*

*Ontario jails will continue to allow for phone calls and professional visits, such as from lawyers, spiritual support volunteers, native inmate liaison officers and volunteers providing programming and education.*

*Correctional Service Canada, meanwhile, is only allowing phone calls and video visitations.*

*"Things could get bad fast"*

*Lawyer Kevin Egan, who represents over 13,000 current and former EMDC inmates in a certified class action lawsuit against the province over*

*pre-existing conditions at the jail, believes that while the situation will likely remain calm for now, that could easily change.*

*"All it takes is for one guy to snap," said Egan, "and things could get bad fast."*

*"They're already an anxious and violent group. And so I would be concerned that things might escalate if too much time goes by. This is the one kind of respite that they get, is a visit from their loved ones, and if they didn't get that for an extended period of time then I can see things escalating," he said.*

*He hopes that in the near term inmates will be understanding about the need for preventative measures.*

**No confirmed COVID-19 cases among inmates**

*In a joint statement late Friday evening, provincial Health Minister Christine Elliott and Solicitor General Sylvia Jones also announced that inmates with intermittent sentences will serve those from home until further notice.*

*"Out of an abundance of caution, the province is taking decisive action to protect the health and safety of our correctional services staff and those in our custody," the two ministers said.*

*As of Tuesday, there were no confirmed cases of COVID-19 among the province's inmate population.*

*In a statement last Saturday, CSC reported there has yet to be a confirmed case of COVID-19 in a federal institution.*

*"CSC has dedicated health-care services in its institutions that have the knowledge and experience to handle cases of infectious diseases and respiratory illnesses, such as COVID-19," the statement said.*

*The general population in Ontario saw 13 new novel coronavirus cases as of Tuesday evening and reported its first COVID-19-related death. While the numbers continue to grow, so does the stress of family members with loved ones in jail.*

*"It's heart-wrenching. Just completely heart-wrenching," said the mother of the EMDC inmate.*

*"I mean, he's in there because of bad choices, but he's still my kid, and knowing that I might not be able to see him for a while, my anxiety some days is through the roof."*

Joseph Loiero

CBC News - Mar 18, 2020

## Union urges Ottawa and province to release non-violent inmates from jails and prisons

The union that speaks for legal-aid lawyers and staff in Saskatchewan is calling for the release of non-violent inmates from jails and prisons.

"Overcrowded facilities housing vulnerable populations are a potential public health risk," said Meara Conway, president of CUPE Local 1949.

"An outbreak in any of Saskatchewan's jails could strain nearby health-care systems, and threaten the well-being of inmates, staff and nearby communities."

It's calling for inmate release from provincial correctional centres, the Prince Albert Penitentiary and the Regional Psychiatric Centre.

It suggests releasing non-violent offenders, those who are not a threat to the community, those considered a low risk to reoffend, elderly inmates or inmates with medical conditions who may be vulnerable to the virus.

Similarly, it wants the cases examined where a person has been charged, but not convicted.

"Except where detained on the basis of a risk to reoffend involving a substantive offence which poses a threat to public safety, governments should consider directing the release of these individuals," Conway said.

"Under no circumstance should individuals be detained for administration of justice offences, such as failures to appear in court or breaches of conditions."

The province says it has no plans for a release of prisoners.

Dan Zakreski  
CBC News  
Mar 19, 2020

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

- Michelle Walker

The more that you read, the more things you will know.

The more that you learn, the more places you'll go.

- Dr. Seuss



Laws are like sausages.

You sleep far better the less you know about how they are made.

- Otto Von Bismarck

It is easy to understand why the law is used by the legislator to destroy in varying degrees among the rest of the people their personal independence by slavery, their liberty by oppression, and their property by plunder.

This is done for the benefit of the person who makes the law, and in proportion to the power that he holds.

- Frederic Bastiat

This struggle may be a moral one, or it may be a physical one, and it may be both moral and physical, but it must be a struggle.

Power concedes nothing without a demand. It never did and it never will.

Find out just what any people will quietly submit to and you have found out the exact measure of injustice and wrong which will be imposed upon them, and these will continue till they are resisted with either words or blows, or with both.

The limits of tyrants are prescribed by the endurance of those whom they oppress.

- Frederick Douglass

## Ottawa must tackle the tragic overrepresentation of Indigenous people in prisons

Indigenous people make up 5% of Canada's population. But they are fully 30% of the federal prison population.

For women the situation is even worse: 42% of federal female inmates are Indigenous.

That's an appalling imbalance.

This kind of thing doesn't just happen. It's not the result of a fair society and equal treatment under the law. This is a systemic problem and one of Canada's most pressing social justice issues.

We wish we could say these shocking new figures, released last week by the federal watchdog for prisons, will galvanize everyone to action. But, tragically, history suggests that won't be the case.

Four years ago, Ivan Zinger, the correctional investigator, reported on this disturbing trend. Indigenous people were 25% of the prison population then.

And, going back two decades, one of his predecessors said the overrepresentation of Indigenous people in prisons required "immediate attention."

At the time, Indigenous people represented 2 to 3% of the population and 16% of male inmates. It was 20% for women.

Those figures have now doubled. And what's been done?

Not much. Certainly nothing that has worked.

"The Indigenization of Canada's prison population is nothing short of a national travesty," says Zinger.

It certainly is.

That national travesty, though, begins long before the prison door slams shut.

Every conceivable measure we have to judge how a population is doing shows Canada is failing Indigenous peoples: child welfare, poverty, addictions and mental health, housing and clean water, education and employment, and incarceration.

There seems to be no measure by which Indigenous peoples fare well compared to other Canadians. And until governments start taking more aggressive steps to address those gaps, Indigenous overrepresentation in prisons will persist.

But that doesn't let Canada's justice and prison systems off the hook for the role they play in contributing to such terrible outcomes for so many people.

Indigenous inmates are disproportionately placed in maximum security and have been held longer in solitary confinement. They serve a higher proportion of their sentence behind bars before being granted parole, and are poorly prepared for their release back into the community.

Not surprisingly, then, they are also more likely to reoffend and return to prison, where the tragic cycle begins all over again.

Zinger's list of recommendations for addressing this must have taken little time to compile. All he had to do was cut and paste from previous reports issued by his office, the Truth and Reconciliation Commission, the National Inquiry into Missing and Murdered Indigenous Women and Girls, and various parliamentary committees.

His recommendations for "bold and urgent action" include: appointing a deputy commissioner for Indigenous corrections to be accountable for progress; increasing access to culturally relevant correctional programming; and improving reintegration in Indigenous communities.

Given how many times these ideas have been mentioned before - albeit without the necessary action by politicians and the correctional service to turn them into reality - it's hard to see them as bold anymore.

But urgent, certainly. And only getting more so.

Two decades ago, when the federal prisons ombudsman recommended the equivalent of a deputy commissioner for Indigenous corrections, the tragic prison figures were half what they are now. Isn't it about time for some of that "immediate attention?"

If the federal government and correctional services can't manage to move on this one modest proposal, what hope is there for all the other changes?

As Murray Sinclair, who led the Truth and Reconciliation Commission, said: "We owe it to each other to build a Canada based on our shared future."

Zinger has outlined where we'll be in three years without real change: one in three inmates in federal prison will be Indigenous.

That doesn't sound like much of a shared future.

Editorial Board  
The Star  
Jan 27, 2020

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## 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

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

Power is always insolent and despotic.  
- Noah Webster

You can't hold a man down without staying down with him.  
- Booker T. Washington

< *Poems* >**Suicide is Genocide**

Suicide is genocide and nothing more,  
 all these loves I've lost,  
 I lay at Canada's door.  
 suicide is genocide and something more,  
 I tremble and shake when death knocks on my  
 door,  
 I open it to a river of indigenous blood,  
 it leaves me shaky and breathless,  
 my heart sore.  
 Suicide is genocide and everything more,  
 when my loves die,  
 it makes me hate canada more.  
 Every precious life we lose  
 every sacred breath not taken,  
 is colonization's ugly spore.  
 Suicide is genocide this I know,  
 I am covered in the blood of those gone before,  
 warriors are lost and families broken,  
 we all tremble to answer the blood at our door.  
 Suicide is colonized and nothing more,  
 just another dead native on the floor.  
 Suicide is murder canada commits,  
 they hide their sin in feigned innocence.  
 suicide is genocide this I know,  
 another dead loved one delivers this blow.  
 How can we fight, how can we resist,  
 when canada is killing us with an iron fist,  
 Suicide is canada's blame,  
 don't believe me just ask,  
 every child man and woman hanged,  
 all their lives whisper canada shame.  
 Suicide is genocide and so much more,  
 I have cried oceans of tears on my floor.  
 Suicide is genocide and nothing new,  
 if your skin is red watch out,  
 canada is gunning for you.

- Xhopakelxhit ~ Ancestral Pride

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We hang the petty thieves and appoint the  
 great ones to public office.

- Aesop

Under a government which imprisons any  
 unjustly, the true place for a just man is also  
 a prison.

- Henry David Thoreau

**Untitled**

My home in hell  
 Is one small cell  
 Where most men remain a stranger  
 Home-made knives take human lives  
 No jungle holds more danger  
 They came today & took away  
 The kid that lived next door  
 They found him dead, beneath his bed  
 Why? No one knows for sure.

- KP Cell Wall

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**Feelings**

Some feelings I have  
 Just cannot be told  
 For they are the ones  
 I will always hold  
 Can't open my heart  
 To see ...  
 'cause I know in the end  
 It will only hurt me  
 I hope you understand  
 And realize it's for the best  
 To let these feelings die  
 And be put to rest

- Anne Kellar

---

**I Have to Love Myself**

Hope was gone  
 Only faith was left  
 For the love I needed  
 Was lost doing meth  
 Now I've had four years in prison  
 To contemplate life  
 And have learned  
 That love I want  
 Won't come without a fight  
 Now I know  
 The love I need  
 Has to start with me  
 I have to love myself

- April Murphy

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## &lt; Poems &gt;

**Untitled**

sometimes  
 I see you  
 As a lost Fragment  
 From a dream on waking  
 Someone - something I almost knew  
 so well  
 but now  
 slipping away into the back of my mind  
 I grab at this  
 as it moves like water through my Fingers  
 and that is how  
 I become a captive of your memory

- Larry Ewashen

---

**Too Many Sisters Have Died**

Our Anishinaabeg queens  
 Are dropping like fiends  
 In their early teens  
 With needles in their arms  
 I drop to my knees  
 Asking Great Spirit, Please,  
 Have mercy for my people  
 You see the many tears I've cried  
 As they fell from me  
 They are a symbol of every  
 Anishinaabeg queen that has died  
 Too many tears have I cried  
 Too many sisters have died  
 Without their Anishinaabeg pride!

- Spirit Child

---

The full-bellied child says to the hungry child,  
 "Keep good cheer".

- Herbert Agar

Society is like a stew, if you don't keep it  
 stirred all the scum settles on the top.

- Edward Abbey

Necessity is the plea of every infringement  
 of human freedom.

It is the argument of tyrants; it is the creed  
 of slaves.

- William Pitt

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**Unwanted**

We are the unwanted  
 Unwanted & forgotten  
 Unwanted by society  
 Unwanted by our friends  
 Unwanted even by our family  
 But there remains one last hope  
 Death will welcome us with arms open wide  
 Where we go after death, will be judged  
 Did you have faith? Have you found faith?  
 Did you live a life of sin openly?  
 There will be a fork in the road to after-death  
 Unwanted on earth during life  
 Welcomed after death  
 Heaven or hell  
 Past will determine our after-life eternity

- Peter Angutimarik

---

**Thoughts**

In your thoughts  
 If you can't face the truth  
 You'll run away from it, you'll see  
 Reality composed in your mind  
 Just a fantasy of me in vision left behind  
 So lovely, so sweet  
 Dreams is what you'll meet  
 Something so good bound to lift me off of my  
 feet  
 For you I'll leave behind  
 Something called heartache just this one time  
 This is near to wreck your mind  
 That's the way I like it  
 I'll be much happier, you'll see  
 This time I'll be laughing hysterically  
 Because it wasn't me

- Nicole Miller

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It is difficult to free fools from the chains  
 they revere.

- Voltaire

The genius of our ruling class is that it has  
 kept a majority of the people from ever  
 questioning the inequity of a system where  
 most people drudge along, paying heavy  
 taxes for which they get nothing in return.

- Gore Vidal

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## The end of solitary confinement in Canada? Not exactly

As of Dec. 1, inmates in Canada's federal prisons can no longer be legally held in solitary confinement. Sort of.

Bill C-83, an amendment to the Corrections and Conditional Release Act, received royal assent in June and will be fully enforced by Nov. 30.

The act eliminates administrative and disciplinary segregation, also known as solitary confinement. According to Ralph Goodale, the former minister of public safety who lost his seat in the recent election, this amounts to a "fundamental" change in the way prisons deal with inmates who are considered a risk to others or themselves.

According to Independent Sen. Kim Pate, however, it's simply an exercise in "rebranding." Why rebranding?

Segregation units are being replaced by "structured intervention units" (SIUs) that even Goodale admitted look essentially the same as segregation cells (10-by-six-foot rooms with concrete walls and solid metal doors).

However, Goodale pointed out that SIUs will offer inmates four hours outside of their cells, opportunities for "meaningful human contact," more programming and more health-care interventions

Critics question the value of the proposed changes, which the Parliamentary Budget Office estimates will have an annual operating cost of \$58 million. Will the new SIU model go far enough to address the harms associated with solitary confinement? How different will it be if inmates are still isolated for 20 hours a day in much the same environment?

'Onerous and depriving'

The practice of solitary confinement is described by Ivan Zinger, the Correctional Investigator of Canada, as "the most onerous and depriving experience that the state can legitimately administer in Canada."

Indeed, segregation has long been criticized by advocates of prisoners' rights, who insist it causes severe mental distress, including paranoia and psychosis. It also increases risks of self-harm and suicide. In 2010, 24-year-old Edward Snowshoe committed suicide after spending 162 days in segregation.

In 2007, 19-year-old Ashley Smith strangled herself in her segregation cell. She had been

held in segregation units for more than 1,000 days.

An inquest into her death said prisoners should not be segregated, and those with mental health issues should be in community-based mental-health facilities, not prison.

If solitary confinement is so bad for inmates, why is it used? Correctional Service Canada provides three reasons for which inmates can be placed in segregation: if they jeopardize the security of the institution and/or safety of other individuals; if it's necessary for an investigation that could lead to a criminal or serious disciplinary charge; or, if the inmate's own safety is at risk.

However, given the serious harms associated with segregation, are these reasons sufficient? Are adequate safeguards in place to ensure that the application of rules relating to segregation complies with the Canadian Charter of Rights and Freedoms?

Prisoners have some Charter rights

Although prisoners lose certain rights when they receive criminal convictions, such as freedom of mobility, they do not lose all their rights.

Section 7 of the Charter requires that an individual is only deprived of their right to life, liberty and security of person according to principles of fundamental justice. In recent legal battles, the courts had to determine if solitary confinement restricts people's freedoms in a way that complies with such principles.

In December 2017, the Ontario Superior Court ruled that Canada's segregation laws violate Section 7 rights due to the increased risk of self-harm and suicide, and to the associated psychological and physical harms.

In January 2018, the B.C. Supreme Court also ruled segregation is unconstitutional because it discriminates against those who experience mental illness and disability and against Indigenous prisoners.

It's important to recognize that in these decisions, the courts did not rule that holding individuals in isolation cells is unconstitutional, but they focused instead on certain aspects of solitary confinement, such as lack of oversight and the use of segregation with specific populations.

One year to change laws

Nonetheless, given that aspects of the legislation were deemed unconstitutional, the federal

government had one year to change the laws in order to bring them into compliance.

So in June 2018, the Liberal government tabled Bill C-83. Because this legislation ostensibly eliminates segregation, Goodale claimed that the B.C. and Ontario court findings, which were ruling on the “old system” of segregation, are not “equally applicable” to the new SIU system. In other words, the constitutionality of the SIU model will be the subject of future debates, and possibly future legal challenges.

Practices such as solitary confinement, or the use of “structured intervention units,” raise questions about how to respond to those who have committed criminal offences.

The vast majority of people who are held in prison will eventually be released back to the community. It is in the best interest of public safety to ensure that during their incarceration, they receive adequate and meaningful opportunities to address the factors that led to their offences, such as substance abuse or their own experiences of trauma and violence.

The newly developed SIUs are intended to provide increased intervention and programming in order to address the specific risks and needs of individuals. If Correctional Service Canada is able to deliver this, Bill C-83 could indeed signal a fundamental change in how the most challenging inmates are dealt with.

But if adequate, rehabilitative programming is not put in place to support the new units, this will indeed be nothing more than a multi-million dollar exercise in rebranding a harmful, unconstitutional practice.

Anita Grace  
The Conversation  
Oct 27, 2019

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## **Fuelling a crisis: Lack of treatment for opioid use in Canada's prisons and jails**

The opioid overdose crisis has killed almost 14,000 Canadians since 2016.

One flashpoint of this crisis is Canada's correctional facilities. Opioid-related deaths are increasing among incarcerated people. Post-release, their prospects are even worse: in the two weeks after release, a prisoner's risk of overdose is more than 50 times higher than in the general population. One in 10 of all

overdose deaths is a prisoner released in the past year.

Despite this, our prisons and jails often delay or deny access to evidence-based treatments for opioid use disorder and fail to ensure appropriate supports on release.

Opioid Agonist Therapy (OAT)

Governments have brought class-action lawsuits against pharmaceutical companies and prosecuted overprescribing doctors. Canada's federal government is taking action on opioids.

But our divergent experiences as a physician, a legal academic and a formerly incarcerated harm reduction activist have taught us that much of the responsibility lies with government itself - specifically, its failure to provide prisoners with timely access to opioid agonist therapy (OAT) and ensure post-release continuity of treatment.

People incarcerated in Canada's federal prisons and provincial-territorial jails are highly likely to have experienced childhood trauma, poverty and the corrosive effects of racism and colonialism. They are highly likely to struggle with addictions and mental illness. Incarcerated people, like many on the outside, use drugs as a form of coping.

OAT provides a medication (usually buprenorphine/naloxone or methadone) to prevent drug cravings and withdrawal symptoms. It is the first-line treatment for opioid use disorder and the standard of community-based care across Canada. OAT saves lives, reduces HIV and hepatitis C transmission, improves a host of social and psychological outcomes and is associated with a decreased risk of future criminal charges and imprisonment.

Legal standards for health care Canadian and international law obliges prisons to provide incarcerated people with health care at community standards. But research, coroners' inquests and prisoners' rights groups all tell a similar story: too often, people are not provided addictions treatment on admission, whether or not they were being treated in the community. This means they go into acute withdrawal and are at increased risk of use, relapse and overdose.

The result? Missed opportunities to provide care to people who desperately need it, and deaths with little oversight or accountability. While we pursue progressive solutions like decriminalization and safe supply, we must

urgently make OAT available to everyone incarcerated who would benefit.

In Nova Scotia, the provincial health authority is responsible for delivering health care in the province's jails, rather than Correctional Services, as is common in other provinces. Nova Scotia's jails have a blanket policy of not providing prisoners with OAT unless they are already on it when they arrive. Those who are not on therapy suffer through withdrawal or find ways to keep using illicitly inside. This is a clear violation of the government's legal obligation to provide equivalent health care in detention.

Provinces like Ontario, which have celebrated Nova Scotia's wisdom in making correctional health care the responsibility of the Department of Health and Wellness instead of corrections, should take note: simply shifting responsibility is not enough to ensure sound policy.

**Feeding a crisis by limiting OAT**

As people who have lived or worked in prisons and with people who have been incarcerated, we have seen first-hand how limiting OAT in prison feeds the opioid crisis inside. It increases the demand for illicit drugs to be smuggled in or diverted.

In some institutions, those receiving OAT are subjected to a daily strip search: a degrading and re-traumatizing practice. Others who want the medication to prevent their own withdrawal symptoms target prisoners receiving OAT. People soon start diverting their medication, for instance by vomiting it up and straining it through a sock for someone else to use. If someone says no to a demand to divert their OAT, they may be subject to violence.

If someone is caught diverting, their OAT is discontinued, placing them at high risk of overdose. If treatment were not so intensely restricted, these adverse events could be reduced or eliminated.

There are a few glimmers of hope. Rhode Island implemented a state-wide correctional OAT program and saw a 60.5% reduction in one-year overdose mortality after release. In 2016, people incarcerated in British Columbia launched a Charter challenge over policies limiting access to OAT in B.C. jails; while that lawsuit settled, it contributed to increased access to the treatment. Access expanded further when the B.C. Ministry of Health took over provincial correctional health services in 2017.

But elsewhere, access to OAT in federal prisons or provincial jails continues to be denied or unreasonably delayed. This has led B.C.'s Prisoners' Legal Services to launch a representative human rights complaint on behalf of federal prisoners with opioid use disorder, focused on access to OAT.

Federal, provincial and territorial governments need to step up and tackle the opioid epidemic at its flashpoint: our prisons and jails. Timely access to OAT for every incarcerated person who could benefit is required to turn the tide of death and ill health. Until we make these changes, Canada's most vulnerable will continue to endure extraordinary suffering at the hands of our government and the body count will continue to rise.

Darryl Dyck

The Canadian Press

Mar 4, 2020

### **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, advocating for their needs to be met in a dignified and respectful manner, while connecting them to community supports for when they are released.

☎ 613-567-JAIL (5245) ☎

Those who can make you believe absurdities can make you commit atrocities.

- Voltaire

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

- Harriet Woods

## 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% in prison  
HIV = 1-5% in prison

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

**BLEACH DOES NOT KILL HEP C**

### 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

November 20 marks 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 per cent of trans youth in Canada have been harassed at school, and 37 per cent have experienced physical violence.

☞ **Respect** ☞

### 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

### 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](mailto: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).

### 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](mailto:PJD@PrisonFreePress.org)

## 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 in Canada
- Over 5000 children are impacted by parental imprisonment in the GTA
- The number of children affected by parental incarceration only increases 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



### 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 by email at:

[info@featforchildren.org](mailto:info@featforchildren.org)

or by phone at: 416-505-5333



## PRISON RADIO

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

*CPR: This program features content produced by CFRC volunteers and by other campus and community radio broadcasters, including CKUT Montreal's Prison Radio & 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.*

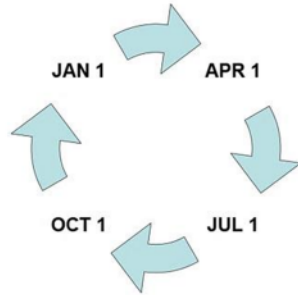
*Prisoners and their loved ones are invited to contribute music requests, messages and suggestions for the program.*

*Write: CPR c/o CFRC, Lwr Carruthers Hall,  
Queen's University,  
Kingston, ON, K7L 3N6*

*Email: [CFRCprisonradio@riseup.net](mailto:CFRCprisonradio@riseup.net)  
Call: 613-329-2693 to record a message or  
music request to be broadcast on-air.*

☞ **Prisoners Justice Day is Aug 10** ☞

### - CLASS ACTION! NEWS -



### - MAILOUT DATES -

☞ **Issue #17 - Spring 2020** ☞

**Class Action News**  
PO Box 39, Stn P  
Toronto, ON, M5S 2S6

*download, print, contact:*  
[www.ClassActionNews.org](http://www.ClassActionNews.org)

*Next Issue: #18 - Summer 2020*  
*Deadline: Jun 1, 2020*  
*Mail-out: Jul 1, 2020*

If you don't like the news ...

... make some of your own !!!

*Whatcha got in there that's gotta get out?*

... Hmm ... ?

*Art, Poems, Stories, News, Whatever !*

