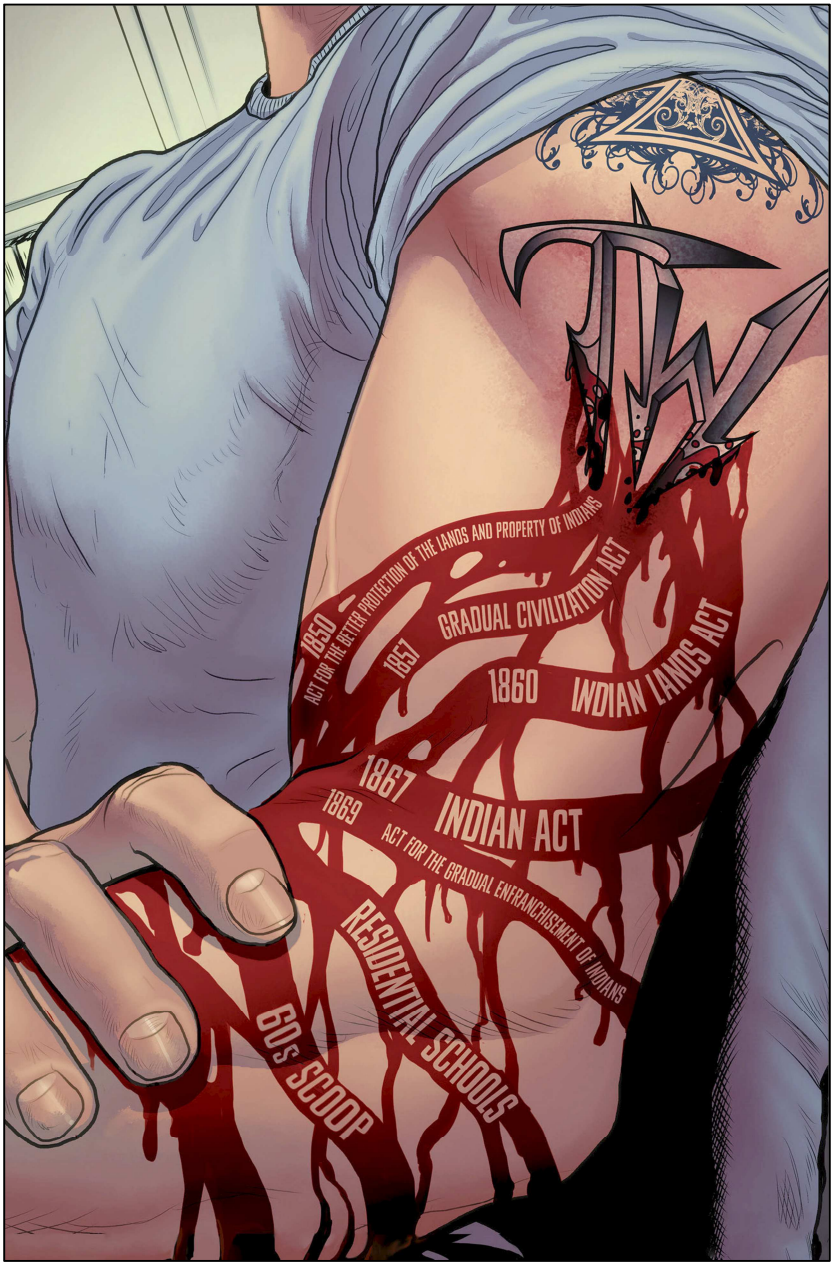


CLASS ACTIONS NEWS



ISSUE #19 - FALL 2020

< *Editor's Note* >

It is Fall & Issue #19 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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From 'The Outside Circle'
by Patti LaBoucane-Benson



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Larry E.!

< *Ancestral Territorial Acknowledgment* >

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).

< *Letters* >

I realize that hatred inevitably turns inward to destroy oneself - so I wrestle that demon to keep it in check.

But when I show compassion, empathy, and respect to my keepers when they react as if I'm the monster they've conjured up in their imaginations. Reciprocating my sentiments is simply not up for their consideration.

Instead, they project these grossly maladjusted attitudes salted with intense contempt. And you'd honestly think they've missed it that prisoners pay their mortgages and taxpayers give them a million dollars for their 25 years!

The Prison Industrial Complex is Big Business because the citizenry has been content to look away and they're simply oblivious to the ever-increasing redundant job-titles and positions popping up like weeds in here.

Society has no idea the federal prison guard's union has pulled off the impossible insofar as UCCO has reached a milestone where 'the tail really does wag the dog'. (bringing figure-head wardens to heel!)

I reflect back to 1985 when 'guards' became 'Peace Officers' and how it resulted in an inflated sense of 'respectability' working as a slave to reduce the pain of feeling unappreciated.

In 3 decades I've watched as they fought to militarize their uniforms to look more like cops than the glorified baby-sitters and turn-keys they actually are.

I recall the ill-conceived UCCO 'Wish List' resulting in 104 of 107 'asks' being fulfilled by the Harper Conservatives.

But what I haven't seen is the Liberal government make good on its assurances that they would correct the Conservative's policies which are inflicting so much damage.

We are being 'warehoused' like never before and everyone knows this is ridiculously expensive and harmful to society.

So I have to ask, 'When will government demand that prisoners be 'Rehabilitated' by CSC?'

- Anonymous

[Editor's Note: Very excellent assessment! Systemic abuses are intentional, of course. It is a 'One-Party System'... Expecting change?]

< *News* >

[Editor's Note: This Issue has the Class Action updates that I could find as requested by a reader. Do let us know of any others!]

Bail Delay Class Action: Update

Koskie Minsky LLP and Henein Hutchison LLP have commenced a class action against the Province of Ontario alleging that chronic delays in bail hearings have violated the rights of accused persons.

The statement of claim issued on June 28, 2017 alleges, among other things, that the bail hearing system in Ontario has been administered in a manner which is negligent and in breach of the Canadian Charter of Rights and Freedoms. The claim alleges that for many years the bail hearing system has been mismanaged, resulting in overcrowded dockets, under-resourced courts, excessive travel requirements and lack of interpreters. The mismanagement is alleged to have led to routine violations of the class members' rights to a timely bail hearing.

The proposed class includes all persons who were arrested and detained for a period of more than 24 hours prior to any meaningful bail hearing being available for the time period of January 1, 2000 to the present.

For further information:

Toll Free number: 1-800-469-3350

August 12, 2019

The plaintiff's motion for certification has been dismissed. The plaintiff is appealing.

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

- Michel Foucault

When I cut my hair, it was called an Odetta. Until then, I had swallowed lock, stock and barrel the uptightness of this society - feeling ashamed of 'Black,' 'fat,' 'ugly.' Looking back, the path to self was paying attention to my intuition, feelings and thoughts. I now include my needs along with what others need or want from me.

- Odetta

Remember the chatter about releasing inmates early to ease spread of COVID-19? It didn't happen

Even though Public Safety Minister Bill Blair asked prison and parole officials this spring to consider releasing low-risk inmates early due to the threat posed by COVID-19, there was no increase in the number of prisoners released during the first three months of the pandemic compared to a year earlier.

In fact, there were slightly fewer inmates released, according to new information obtained by the Star.

The federal inmate population nationwide did fall by about 600 - from 13,958 on March 1 to 13,357 on May 24, show records from the Correctional Service of Canada.

But the decline is attributed not to a rise in inmate releases but to "releases from federal custody continuing to outnumber admissions," according to the records. In other words, the drop appears to have been driven more by court shutdowns and fewer offenders being sentenced. The records lend support to the findings of federal prison watchdog Ivan Zinger, who released a highly critical report in June that said there was "simply no advanced, coherent, concerted effort or plan in place to thin the federal prison population in order to slow the transmission of COVID-19 in federal corrections."

Zinger went on to say the federal response had been "slow, contradictory, confused and deficient."

During the height of the pandemic, 360 federal inmates became infected with COVID-19 and two died. The outbreaks were confined to five CSC facilities - Mission Institution in British Columbia; Grand Valley Institution for Women in Ontario; and Joliette Institution, Port-Cartier Institution and the Federal Training Centre in Quebec.

The outbreaks prompted calls from prisoner advocates at the time to decrease the prison population, citing concerns that physical distancing was difficult due to inmates' close living quarters.

Mary Campbell, a retired Public Safety Canada director general in the corrections and criminal justice branch, told the Star in May that prisons were known "breeding grounds" for disease. "Get them out now," she said.

As the Star has reported, one of the challenges of releasing more offenders into the community is determining where to house them. Halfway houses are often the first stop for someone on day parole but they continue to face lengthy wait times.

Still, earlier in the spring, reporters learned that Blair had asked the heads of the CSC and the Parole Board of Canada to consider early releases for certain, non-violent offenders.

Then in a press briefing in late April, Blair told reporters "hundreds" of inmates had been deemed eligible and had received approvals for release.

His office later clarified that those releases were for inmates who were already scheduled to leave prison through parole or whose sentences were ending, according to the CBC.

Records released to the Star in response to an access-to-information request show there doesn't appear to have been any significant change in the number of inmate releases during the peak COVID-19 outbreak period compared to the previous year.

According to the records, from March 1 through May 24, there were 1,627 inmates released (including 585 on day parole, 33 on full parole and 954 on statutory release). Roughly the same number - 1,652 - were released during the same period in 2019 (including 579 on day parole, 30 on full parole and 993 on statutory release).

In an email Tuesday, Blair's office said the parole board is an arms-length agency of the government and "considers all relevant and available information" when making its decisions. During the pandemic, the parole board has "streamlined a number of its policies and processes" in response to a 14 per cent increase in parole review submissions.

"Actions taken by the (parole board) as well as fewer transfers to federal institutions have led to an overall population reduction within these institutions."

From March 2020 to present, the federal inmate population has declined by more than 1,000 inmates, the statement said.

Government officials were unable to quantify how many releases were specifically due to the pandemic, saying that a number of considerations go into releasing someone. However, a CSC spokeswoman did say the

downward trend in the inmate population was "expected to continue over the coming months." She noted that while the average number of releases each month from March through May was 600, which is what it was before the pandemic, the number of releases in June and July went up to 652 and 621.

As the Star previously reported, the medium-security portion of B.C.'s Mission Institution - which saw one of the worst COVID-19 outbreaks in a federal prison - descended into "absolute chaos." Frontline workers tussled with management over access to protective equipment, while inmates screamed and banged on their metal doors during a period of lockdown.

Douglas Quan
The Star
Aug 5, 2020

Class Action alleges prison staff conducting illegal strip searches

Two former federal prison inmates are trying to bring a class-action lawsuit against the federal government to argue strip searches represent a "serious deprivation of liberty."

Under federal law, prison staff can strip search inmates if they have reasonable grounds to suspect an inmate has contraband on their body. They can also perform routine strip searches when an inmate enters or leaves a "structured intervention unit," which replaced solitary confinement cells.

But the two plaintiffs, Michael Farrell and Kim Major, allege their bodies - including their genitals and buttocks - were inspected indiscriminately and without any suspicion of wrongdoing, according to the statement of claim, which was served to the federal government Monday morning.

"These are not trivial intrusions. The class members were forced to remove all of their clothing, bend over, spread open their buttocks, manipulate their genitalia, remove soiled tampons, and/or cough while squatting naked in front of others," says the claim, which is being represented by Abby Deshman of the Canadian Civil Liberties Association and Kent Elson of Elson Advocacy.

The lawyers say this situation has been repeated "hundreds of thousands of times" on inmates

"and has thus violated their rights under the common law and the Canadian Charter of Rights and Freedoms."

The claims have not been proven in court. A class-action lawsuit must be examined and certified by a judge before it can proceed.

Farrell, 51, was incarcerated for drug-related offences after becoming addicted to opioids following a back injury, the statement of claim says.

He alleges staff forced him to bend over and spread open his buttocks and ordered him to move his penis so that staff could look under and around it.

This traumatized Farrell, who was sexually and physically abused as a child during stints in foster homes, the claim says.

The lawyers say Farrell was unnecessarily strip searched every time he was transferred from one prison to another - each time he left the first prison and again when he arrived at the second prison - though he had no opportunity to access contraband.

Major, 55, was also sexually abused as a young child and then later on by her husband, according to the statement of claim. She served time on fraud charges and now lives in southern Ontario.

According to the statement of claim, she was forced to strip naked, including removing her dentures, whenever she left prison to attend medical appointments, was transferred to other prisons and upon her release, and risked being penalized or face physical force if she objected.

"These strip searches have caused deep emotional scars and exacerbated her pre-existing trauma," the claim says.

Deshman and Elson argue that strip searches are intrusions on individual liberty.

"The strip searches also engaged the right to security of the person," said the claim. "The strip searches violated the class members' physical and psychological integrity and caused significant harm."

Catharine Tunney
CBC News
Jul 06, 2020

A system that warehouses people is not the cure for social ills.
- Amiri Baraka

Federal Prisoner Mental Health Class Action: Updates

In 2015, Koskie Minsky LLP commenced a class action against the Attorney General of Canada ("Canada") on behalf of all inmates incarcerated in Federal correctional institutions who were seriously mentally ill. The case alleges, among other things, that Canada breached sections 7, 9 and 12 of the Canadian Charter of Rights and Freedoms by subjecting mentally ill inmates to periods of administrative segregation. The action was certified as a class proceeding in December 2016.

The court has ordered an amendment to the class definition to exclude those seriously mentally ill prisoners who were never in administrative segregation.

The claim now covers the following class:

All offenders who were placed in administrative segregation, who were diagnosed by a medical doctor with an Axis I Disorder (excluding substance use disorders), or Borderline Personality Disorder, who suffered from their disorder, in a manner described in Appendix A, and reported such during their incarceration, where the diagnosis by a medical doctor occurred either before or during incarceration in a federal institution between 1992 and present.

Appendix A refers to:

- Significant impairment in judgment (including inability to make decisions; confusion; disorientation);
- Significant impairment in thinking (including constant preoccupation with thoughts, paranoia; delusions that make the offender a danger to self or others);
- Significant impairment in mood (including constant depressed mood plus helplessness and hopelessness; agitation; manic mood that interferes with ability to effectively interact with other offenders, staffs or follow correctional plan);
- Significant impairment in communications that interferes with ability to effectively interact with other offenders, staff or follow correctional plan;
- Significant impairment due to anxiety (panic attacks; overwhelming anxiety) that interferes with ability to effectively interact with other offenders, staff or follow correctional plan;

- Other symptoms: hallucinations; delusions; severe obsessional rituals that interferes with ability to effectively interact with other offenders, staff or follow correctional plan;
- Chronic and severe suicidal ideation resulting in increased risk for suicide attempts;
- Chronic and severe self-injury; or,
- A GAF score of 50 or less.

Please note that the class no longer includes inmates incarcerated in Federal correctional facilities who suffer from a mental illness but were not placed in administrative segregation. If you suffer from a mental illness but were not placed in administrative segregation, you are no longer covered by the class action, and, in accordance with section 28 of the Class Proceedings Act, 1992, all applicable limitation periods will resume with respect to your claim after April 11, 2019 (45 days after publication of this notice).

For inquiries, please contact Koskie Minsky LLP:
Toll Free Hotline: 1-866-777-6343

May 29, 2020

Justice Perell awarded \$20 million in base level damages to the Class. A distribution protocol is to be determined.

Traveller, There is No Road

Traveller, your footprints
are the only road, nothing else.
Traveller, there is no road;
you make your own path as you walk.
As you walk, you make your own road,
and when you look back
you see the path
you will never travel again.
Traveller, there is no road;
only a ship's wake on the sea.

- Antonio Machado

I cannot submit to injustices, even minor ones.
Once one starts submitting to minor injustices and rationalizes them away, their accumulation creates a major oppression.
That's how entire peoples fell into slavery.
- Martin Sostre

Federal Solitary Confinement Class Action: Updates

Koskie Minsky LLP and McCarthy Tétrault LLP have commenced a class action against the Attorney General of Canada alleging systemic infliction of prolonged administrative solitary confinement upon prisoners incarcerated in federal correctional institutions. In prolonged administrative solitary confinement, prisoners are placed in small cells and are denied any meaningful human contact for at least 22 hours per day, for a period of at least 15 consecutive days. This treatment is imposed in instances where the prisoner has done nothing wrong and is not being punished.

The claim alleges that by virtue of this practice in federal correctional institutions, Canada has been negligent, has breached its fiduciary duties, has breached various rights under the Canadian Charter of Rights and Freedoms, has subjected class members to false imprisonment, intentional infliction of mental suffering, assault, and battery, and has been unjustly enriched.

The class includes all persons, except “Excluded Persons”, who were involuntarily subjected to a period of prolonged administrative solitary confinement at a federal correctional institution between November 1, 1992 and the present, and were alive as of March 3, 2015.

For inquiries or if you think you are a class member:

Toll-free hotline: 1-866-777-6311;

March 9, 2020

In a unanimous decision, the Ontario Court of Appeal agreed that Canada’s use of prolonged solitary confinement had breached Class members’ Charter rights and freedoms. The Court upheld the base level award of \$20 million in Charter damages.

June 24, 2020

Canada has not appealed the Ontario Court of Appeal’s decision granting summary judgment. The parties are now working towards implementing that decision.

A motion date to re-determine aggregate damages in the Brazeau matter was determined May 29, 2020. The parties will now file materials respecting the distribution of damages

in both matters. The Court will determine the distribution protocol as soon as practicable.

A motion date to determine the individual issues protocol (for additional individual damages) is scheduled to proceed on October 6-8, 2020.

Ontario Prisoner Class Action

Koskie Minsky LLP has commenced a class action against the Province of Ontario alleging that lockdowns arising from the Province of Ontario’s failure to properly staff its correctional institutions facilities have caused and continue to cause physical and psychological damage to inmates across the Province.

A staffing-related “lockdown” of a correctional institution occurs when prisoners are locked in their cells due to shortages of prison staff. Lockdowns can last for days or even weeks at a time. Staffing related lockdowns have become a common feature of Ontario’s correctional institutions that deprive prisoners of their most basic rights.

The class includes:

All current and former inmates of correctional institutions as defined in the Ministry of Correctional Services Act, R.S.O. 1990, c. M.22 (the “Correctional Institutions”), between May 30, 2009 and November 27, 2017 who are or were remanded, except the Excluded Persons; All current and former inmates of the Correctional Institutions between May 30, 2009 and November 27, 2017 who are or were serving a sentence at a Correctional Institution or who have violated parole and are or were imprisoned at a Correctional Institution as a result, except the Excluded Persons; and,

“Excluded Persons” are:

1. all inmates detained only in accordance with the Immigration and Refugee Protection Act, S.C. 2001, c.27; and,
2. all inmates of Elgin-Middlesex Detention Centre, the Ontario Correctional Institute and the St. Lawrence Valley Correctional and Treatment Centre (solely with respect to their incarceration at those Correctional Instns).

We are going to emancipate ourselves from mental slavery, for though others may free the body, none but ourselves can free the mind.

- Marcus Garvey

Prison system is traumatizing: Former prisoners speak up on Prisoners Justice Day

It was a Friday morning when Nicole Tobin was pulled over by police while driving her daughter to preschool.

When they screened her name, an arrest warrant came up. She was arrested on the spot for missing court in relation to a motor vehicle incident. Tobin said she pleaded with police not to handcuff her in front of her daughter, but they still did.

"They held me in handcuffs with my three-year-old for 30 minutes before my stepmother could come pick her up," she said Monday.

That was the beginning of Tobin's plight with Nova Scotia's justice system. She told her story as part of a panel held by Books Beyond Bars in front of the old public library on Spring Garden Road.

Cecilia Masimo, who works with Books Beyond Bars, organized the event to commemorate Prisoners Justice Day. Aug. 10 of every year marks the day when prisoners at Millhaven Institution, a maximum-security prison in Ontario, held a one-day hunger and work strike in 1975. They protested the negligent and inhumane prison system and the lack of an inquiry into inmate Edward Nalon, who bled to death in solitary confinement one year earlier. Since then, prisoners in Nova Scotia and across Canada refuse to eat, work or practise any activity on this day to demand better treatment in prisons.

Masimo said prisoners who go on strike are thrown in solitary confinement, which has been rebranded to structured intervention units in 2019.

"This (event) is how we can stand in solidarity with the prisoners who are protesting against injustice."

Masimo said she chose to hold the panel across from the provincial court because courts are part of the system that sends people to jail.

"In a way we're holding them accountable," said Masimo.

She added that the statue of Winston Churchill also stood as a reminder of the prison system's roots in colonization.

People in attendance expressed their frustration with the injustices facing prisoners on post-it notes. The notes were stuck on wooden boards

which they intended to leave in front of the courthouse.

Serving time doesn't help

After her arrest, Tobin was taken to the Burnside jail where she was left in a dark room. Tobin who was pregnant at the time, was segregated from the rest of the prisoners for hours with no food or medication.

"The justice system right now is traumatizing. ... It only gave me long-lasting detrimental effects to my mental health."

She said she was also emotionally and physically abused before going to prison but couldn't find any mental health support while serving her time.

"Serving time didn't help us do anything. It's the help we sought afterwards is what helped," she said.

Patricia Whyte, who is Indigenous, said she faced a lot of racism in prison in addition to the lack of support services.

Sara Tessier, who is part of the LGBTQ community, said she was targeted for her identity and referred to as "a predator."

Abolishing prisons, investing in communities

After serving her time, the stigma followed Tobin when she tried to find work. She was a student at Mount St. Vincent University and had a job before her imprisonment.

"It was humiliating going to interview after interview and... me telling them... I have a record and then the job is gone."

Tobin is now working with Books Beyond Bars and will be starting a bachelor of education degree in the fall.

Corey Writes, who was previously incarcerated and sat on Monday's panel, said the stigma is present within the prison system itself. When Writes wanted to give a speech to the youth at the Waterville Youth Centre, his case management team said, "it's too late for them."

"If a child does something bad and you tell them go to the corner and you don't explain to them what they did wrong or how to change their mind ... they're going to do the same exact thing," he said.

According to data released by the federal government in 2018, the average annual cost of keeping an inmate incarcerated was about \$117,000 in 2015-2016.

All panelists agreed this money should be going to eliminating poverty and offering services such as rehabilitation and mental health support. "People wouldn't need prisons if they had the supports in the first place," said Tessier.

Nebal Snan
The Guardian - Aug 10, 2020

Bobby Landers Tonight

In the Millhaven pen there's
the greatest show on earth
There's screaming, dying, crying, very little mirth
Tonight the Bobby Landers show will start
And will end in the morning
with the beating of his heart
Where did you go, what did you do?
Organizing prisoners' rights,
ain't the proper thing to do ...

For organizing prisoner's rights
you're going to the hole
Although we just suspect you,
we're the ones who have control
Where's the doctor, where's the nurse,
where's the panic button?
Destroyed back in '71, a system long forgotten
Where did you go, what did you do?
Organizing prisoners' rights,
ain't the proper thing to do ...

Well now you want a doctor,
well that's just too bad
Maybe tomorrow that nurse will be so sad
But tonight while you're calling,
she's laughing with the guard
Why doesn't she come over,
the pain is really hard...
Where did you go, what did you do?
Organizing prisoners' rights,
ain't the proper thing to do ...

Then the other inmates start kicking solid steel
Still there was no answer
and the pain was very real
You're being much too loud guys,
we're going to close the door
Bobby Landers won't cause trouble anymore
Where did you go, what did you do?
Organizing prisoners' rights,
ain't the proper thing to do ...

He wrote a note on the morning that he died
Would like to see you regarding
the pain on my inside
The inquest said,
why was this not delivered anywhere?
At the thirty minute check, no guards were there
You're being much too loud guys,
we're going to close the door
Bobby Landers won't cause trouble anymore

When they served him breakfast
in the 6 x 11 cell
In the cruel but not unusual punishment,
he wasn't very well
And one week short of his review
they found him on the floor
& Bobby Landers won't cause trouble anymore
You're being much too loud guys,
we're going to close the door
Bobby Landers won't cause trouble anymore

Well, you shout through a crack
that's only half-inch wide
And then you start to think
of the last ten years inside
Well the inquest made suggestions,
but still there's no solution
And the death of Bobby Landers
did not start a revolution
You're being much too loud guys,
we're going to close the door
Bobby Landers won't cause trouble anymore
Where did you go, what did you do?
Organizing prisoners' rights,
ain't the proper thing to do ...

When the guards came by at 11:00
his eggs had not been eaten
His face and his chest,
looked like they'd been beaten
His heart shot up and froth,
had filled up his breathing space
And that morning down upon the floor,
Bobby Landers lost the race ...

Larry Ewashen
Written for the theatrical show:
['Convicted But Not Convinced'](#)

There came a time when the risk to remain
tight in the bud was more painful than the
risk it took to blossom.
- Anais Nin

Art and Journaling Helps Break Down Prison Walls for Indigenous Men

Elder Roberta Price was finishing making dozens of bundles of sacred plants - tobacco, sage, cedar and sweetgrass - for Indigenous men in B.C. prisons when she got a call warning that the gifts would not be allowed.

Sacred plants like tobacco and cedar are often used to cleanse both people and spaces of sadness, and to provide strength and grounding to those who carry them, said Price, who is from the Coast Salish Snuneymuxw and Cowichan Nations.

But while tobacco is sacred in many Indigenous cultures and communities, it's prohibited in jails or prisons in Canada.

Price quickly substituted lavender and revised the pamphlets that came with the bundles.

But she says the rule is just one example of the colonialism and anti-Indigenous racism underlying the prison system.

Price is a co-principal investigator for Critical Research in Health and Health Care Inequities at the University of British Columbia's School of Nursing.

And she's part of a team of UBC researchers who are distributing hundreds of art and journaling kits to Indigenous men in prisons and in halfway houses in a bid to alleviate the dual mental health tolls of incarceration and the pandemic.

The kits are aimed at encouraging the men to explore their experiences through art and words and, importantly, share them with members of their communities. The project has partnered with Indigenous community organizations to build connections. Price's bundles are meant to provide spiritual guidance and strength during a time of heightened isolation.

Co-lead researcher Helen Brown, an associate professor at the UBC School of Nursing, said the community participation is a key part of the project.

"Their connections with the community help them to reach and see the impact of the work they were doing beyond the present walls, which gives them a positive sense of themselves that they hadn't necessarily experienced to that point," she said.

Prisons are harsh and isolating in normal times, but virus-driven restrictions on visitors and

activities have drawn increasing attention to the mental health on those who are incarcerated.

Work, activities, time outdoors - "all of these positive impacts on identity, well-being and giving to others come to a grinding halt," said Brown.

Price's bundles and the wisdom that accompany them are an important component of the kits that will be distributed in two medium-security federal prisons and five halfway houses in B.C. in an effort to improve mental health and maintain cultural connections for the men.

The team hopes the program will expand to all correctional facilities in the province in the near future, as well as to Indigenous community organizations across B.C.

The idea didn't just come out of thin air. The researchers were able to build on years of work with Elders and incarcerated men on a similar project.

In the now-halted Work 2 Give program, Indigenous men who were incarcerated made furniture, cultural objects and clothing for members of the Tsilhqot'in First Nation in the province's interior.

Brown's team, who began studying the initiative in 2014, found that it was not just making and sharing the gifts. The process built relationships between the men and communities that helped them heal and remain connected to their Indigenous cultures.

"As we went around talking to men in the communities, we heard more and more and more about the importance of relationships between First Nations communities and Indigenous incarcerated people against the backdrop of over-incarceration of Indigenous peoples in British Columbia," said lead researcher Brown. "And so the layers of meaning just kept unravelling over time."

The damage and trauma of being removed from one's culture and family is already known in Indigenous communities across Canada. Residential schools and foster care have prevented children from learning their language, traditions and culture.

Price says the disproportionate incarceration of Indigenous men in Canada is yet another version of the same colonial policies in modern times.

A January report by Canada's correctional investigator Ivan Zinger found that 30 per cent of incarcerated people are Indigenous in Canada, while just five per cent of the

population are Indigenous. That number has nearly doubled from 2000, when about 17 per cent of those incarcerated were Indigenous.

“We all had our own prisons, our own senses of being trapped,” said Price, who was forcibly removed from her family by social workers as a young child and forbidden from speaking her language with her sister while in care.

“And to lift someone up, it is so important, because when you are ripped away from your family, what you are missing is that unconditional love you receive from your parents, your grandparents and your family.”

Brown and co-lead researcher Kelsey Timler acknowledged that the kits are not meant to resolve the structural harm done by incarceration in Indigenous communities.

“It’s an attempt to create a small thing that’s kind and decolonial and centres the voices of Indigenous peoples,” said Timler, a PhD candidate at UBC.

Price sees her own healing, guided by Elders from her community, as a journey that has no end.

She hopes the kits - even without tobacco - can be an act of love to those incarcerated during their own healing journeys.

“I’d rather just honour that system with the rules and the regulations and just continue to be respectful around the teachings as an Elder, that’s our role,” said Price, talking on speaker phone. When she smiles, she says, her cheeks regularly press against the phone and hang up the calls.

“There was lots of unconditional love, and care and respect put into the whole process so that when those people pick them up, they’ll have a feeling of peace and unconditional love.”

Moira Wyton
The Tyee
Jul 20, 2020

You can't let fear paralyze you.
The worse that can happen is you fail,
but guess what:
You get up and try again.
Feel that pain, get over it, get up,
dust yourself off and keep it moving.
- Queen Latifah

Immigrant Detainee Class Action: Update



Koskie Minsky LLP and Henein Hutchison LLP have commenced a class action against the Government of Canada and the Province of Ontario alleging human rights violations relating to the treatment of immigrant detainees in Ontario’s prisons.

The statement of claim issued on August 11, 2016 alleges, among other things, that the Canada Border Services Agency and the Ontario Ministry of Community Safety and Correctional Services have been negligent, have breached their fiduciary duties and have breached the Canadian Charter of Rights and Freedoms in incarcerating immigrant detainees in Ontario’s correctional facilities.

The class includes all migrants detained by the Canada Border Services Agency and incarcerated in a provincial prison between December, 2003 and the present. The Plaintiffs’ lawyers believe that thousands of people will be included in this class proceeding.

Godday Dadzie, an Ivory Coast national incarcerated in the Central East Correctional Centre in Lindsay, Ontario, and Al Zeekhemens, a Liberian national incarcerated in Maplehurst Correctional Complex in Milton, Ontario are the proposed representative plaintiffs.

For further information:

Toll Free number: 1-866-777-6309

July 9, 2020

The parties are currently conducting examinations for discovery, in preparation for trial.

TD just increased its shares in Trump's private prison corporation by 8000%

We just found out that in the midst of the pandemic, TD Bank increased its shares in private prisons giant GEO Group by a whopping by 8000%.

And now, TD has blood on its hands from COVID deaths because of its GEO investment - people are dying of the virus at GEO Group's facilities because of a total lack of preventative measures.

That's just the tip of the iceberg of GEO Group's appalling track record of human rights abuses. Along with CoreCivic, they run Trump's concentration camps along the Mexican-US border where kids are held in cages and separated from their parents.

This is why every major bank in the world promised to end financial ties with GEO Group and CoreCivic in 2019 - a massive victory against the American prison industrial complex.

Through the pressure of tens of thousands of SumOfUs members, including hundreds who showed up at Canada Pension Plan's public events, we forced our pension fund to divest from Geo Group and CoreCivic.

We thought the message was clear - Canadians do not want our money invested in US private prison corporations like GEO Group.

It's not just customers that want out of GEO Group. Investors, alarmed by the rising death toll at GEO's facilities, just brought a class action lawsuit against the company over its blundering response to the pandemic in July.

TD's purchase of GEO also goes against the public image it wants to create. In the wake of George Floyd's death, TD pays lip service to Black Lives Matter while holding tens of thousands of shares in GEO Group - a corporation that is notorious for profiting off the mass incarceration of Black people.

And not only that, TD received an 'F' in the 'Is Your Bank Loaded?' report card due to its heavy investment in the gun industry - involvement that has led to the disproportionate gun deaths of Black people.

So we're asking TD Bank: why did you increase your investment in GEO Group by over 30,000 shares? And also, what other financial ties do you have with private prisons corporations like GEO Group, CoreCivic, and other profiteers of the US prison industrial complex?

Action by SumOfUs members in Canada has supported campaigns in the US time and time again. In SumOfUs' biggest win in Canada last year - we got the Canada Pension Plan to pull its investment from US prison corporations like Geo Group and CoreCivic after a year of sustained pressure.

SumOfUs.org
Aug 2020

If you dare to struggle, you dare to win.
- Fred Hampton

The first step in fighting injustice is to make it visible.

Civil disobedience becomes a sacred duty when the state becomes lawless or corrupt.
- Mahatma Gandhi

The walls are the publishers of the poor.

Many small people, in small places,
doing small things can change the world.

It is necessary to say no to the identification of reality with fate, to this fatalistic idea, which is being disseminated universally now like poison gas, which identifies what is with what will be. One must claim the right and the duty of imagining the future, instead of accepting it.
- Eduardo Galeano

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) ☎

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

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

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

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.

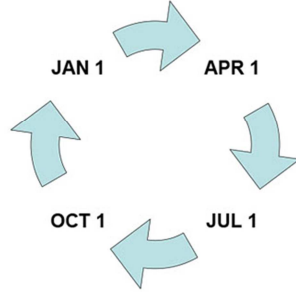
Prisoners and their loved ones are invited to contribute music requests, messages and suggestions for the program.

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

*Email: CFRCprisonradio@riseup.net
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 #19 - Fall 2020 ☞

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

download, print, contact:
www.ClassActionNews.org

Next Issue: #20 - Winter 2020

Deadline: Dec 1, 2020

Mail-out: Jan 1, 2020

If you don't like the news ...

... make some of your own !!!

Whatcha got in there that needs gettin' out?

... Hmm ... ?

Art, Poems, Stories, News, Whatever !



POB39P M5S2S6