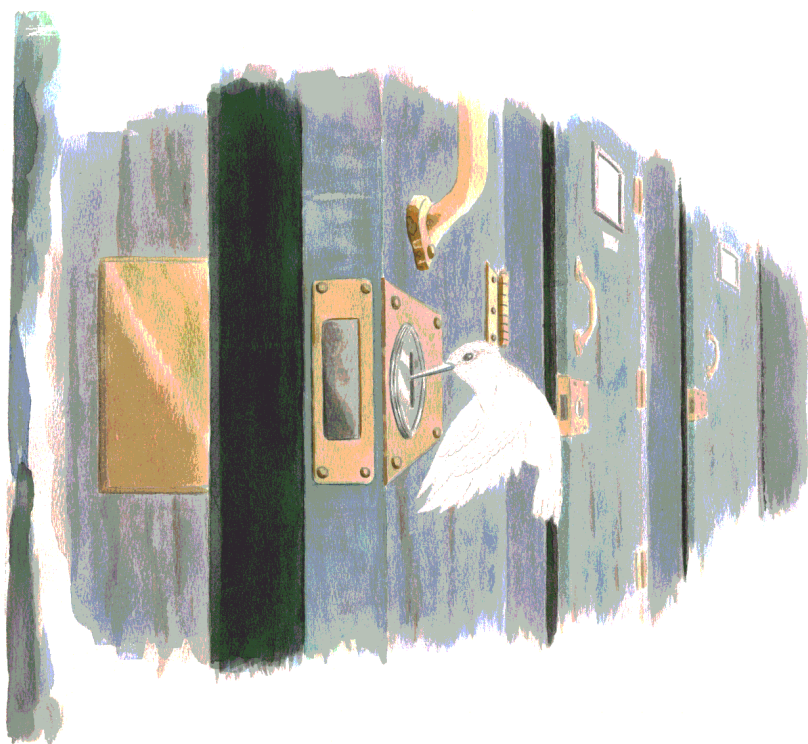


CLASS

ACTION!

NEWS



2018

SPRING!

ISSUE #9

< Editor's Note >

It is Spring & Issue #9 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 – 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 full funding so it really helps to get this inside !

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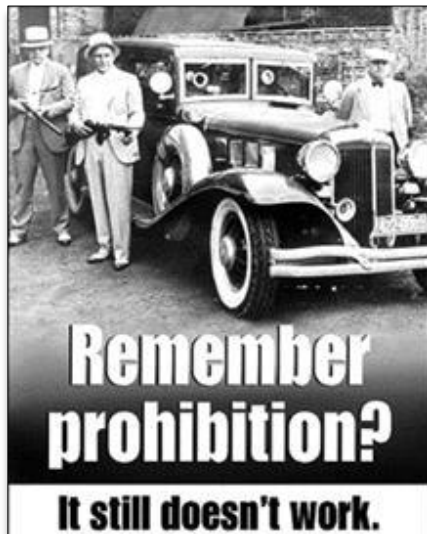
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Cover: Pete Collins



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Groundswell Community Justice Trust Fund!

I am no longer accepting the things I cannot change.

I am changing the things I cannot accept.

- Angela Davis

< Letters >

Segregation

I was reading your stuff on Segregation and it hit a spot with me. It got me to thinking about when I was 13 years old, my first time in a cage. I went to Vic WDC in Victoria. I was then transferred to Lakeview Youth Custody Centre in Campbell River, BC. It was closed down in the early 90's because it was inhuman. I spent months in and out of Seg. No blankets, no mattress. Day after day, sitting on cement with very little light. The only thing to read was the bible and you had to lay down by the door because it was the only light. Dark, cold, damp. The beatings from the guards on a daily basis. I wasn't a 'bad kid' but they used violence to beat the so-called 'bad kid' out of me. I'm now 44 and have spent 20 years inside, 21 jails across Canada.

I guess what I'm trying to say is how do we get help? We sit in cells 21 hours a day, no programs, no nothing. The only thing they offer is GED. So how can we make change when we have no help?

Additional 30% Deduction for Room/Board
There is now an additional 30 percent deduction from prisoners pay to cover the cost of "room and board". I can no longer send money home to my family, pay for telephone calls or afford private family visits. I can also no longer afford stamps for letters to stay in touch with my family. I would like to see a return to the policy of additional room and board only being imposed if the pay surpasses \$69 in a two-week period as was the policy in the past.

Incentive Pay

The \$2.20 per hour incentive payments that prisoners received for the productive labour that they carried out for CORCAN have been eliminated. I will no longer work for any CORCAN project. I believe this is slave labour. I would like to see a return to the former policy and that incentive pay be reinstated for honest labour.

Job Training

There is currently limited job training. This results in lower chances of getting a decent job after release. I would like to see more current and useable training for jobs.

Phone Deductions

With the policy of charging prisoners for the costs of administering the Inmate Telephone System I am now paying the costs of a phone that I may never use. There are also major delays for adding a number to a telephone list. I would like to see that the pay deductions end, along with streamlining of the approval process for adding telephone numbers to a pin list.

Escorted Temporary Absences

ETAs from a medium-security prison must have two armed guards. Prisoners cannot afford to pay for the costs of an armed escort when going out on an elective ETA. As a result, they will not be granted the ETA. I would like to see a policy where they do case-by-case judgements. Not all ETAs require two armed guards, this is a ridiculous policy.

Access to Computers

With the current policy regarding access to computers I have lost mine. I need it to teach myself basic skills as I lack any experience on the Internet. I would like to see CSC allow the purchase of personal laptop computers with Internet access using the European model of restricted access to websites.

CSC Staff Culture

As it stands there is no accountability by CSC. Record keeping of meetings with parole officers is unfair as staff seem unaccountable for their actions and inactions. This affects us because low trust inhibits our rehabilitation and breeds resentment. There is too much emphasis on punishment and not enough on rehabilitation. I would like to see this changed.

Food Services (Cook-Chill)

The food is now made at one supply factory and cook-chilled. This has further reduced the nutrient supply, quality and quantity of food. It has made most meals unidentifiable as products do not have any labelling. We do not even know what we are eating. I would like to see that CSC resumes having the prison kitchen cook meals for us.

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

- Mahatma Gandhi

< News >

Prison notes: My time in suicide watch and solitary confinement

Every time I see a cattle transport truck on the highway I say a little prayer. I was once one of those animals.

Only I was being transported from the local police station in a van with no windows, shackled to strangers. I struggled to look out the small holes in the side of the van, and had no idea where I was or where I was going.

When I got to Vanier Centre for Women, a medium and maximum security facility in Milton, I was put on “suicide watch.” That meant 20 hours a day in a cell roughly five by seven feet.

You don’t get much on suicide watch. No mattress – just a hard metal bed. No sheets, no cooked food, no magazines, no underwear. Showers are rare.

I once went to court dirty, my naked body visible through the large armholes in the prison-issue nightgown I was given. Stains from menstrual blood covered my legs.

Suicide watch is one of the many paradoxes of prison life. You go in wanting to kill yourself and the conditions just make you want to kill yourself more.

People ask me why I was incarcerated. The answer is for nothing.

Like the majority of people behind bars in Canada, I was serving pretrial time. When all was said and done, I served 90 days and was never found guilty of anything.

Jails are places where the innocent mingle with the guilty. And the wrongfully imprisoned with murderers and rapists. Everyone goes to the same nowhere place where lawlessness prevails. After spending 14 days on suicide watch, I was transferred to solitary confinement, a definite step up.

In solitary I got clothes, a thin, hard mattress, cooked food and an hour outside my cell each day – except when a guard called in sick or if there was a fight in the yard. Then we were locked down in our cell for 24 hours. Few books were available – *Twilight* and the Bible, both their own versions of cruel and unusual punishment.

People have all kinds of ideas about what goes on in jail.

Many people awaiting trial are incarcerated for long periods of time in jails like Vanier. Also known as remand facilities, they were originally designed to hold people for much shorter periods.

There is no library, gym or internet at Vanier. You cannot take a university-level course.

When I was inside, I saw street-involved people cycle in and out, often committing petty crimes to get back in. For these people, jail meant a roof over your head, three meals a day and a place to detox.

In Canada, we use places like Vanier to detain immigrants as well. In November, a 50-year-old immigrant woman died there.

The food inside is forgettable. I literally can’t remember what I ate there. It’s like everything else, a way to get the prisoners to ingest nothingness.

One inmate collected kernels of corn to construct fragile yellow flowers. They were truly beautiful. She hid them from the guards.

It took me 90 days to get out of Vanier. The difference between me and all the other inmates who remained? The ability to make bail.

Without bail, you’re in until your trial comes up and by the time you get your day in court you’re typically weary and depressed. People take immediate release in exchange for guilty pleas.

The prison system in Canada is really a large scale travesty of justice.

It incarcerates more mentally ill people than all psychiatric hospitals combined. It is a modern-day asylum.

It is a modern residential school, too. The prison system in Canada incarcerates a vastly disproportionate number of Indigenous people. People often ask me if there truly is a better way. There is and there has been for some time. Indigenous tribal courts have operated on principles of restorative justice – for perpetrators and survivors of crime and their communities – for centuries.

Ultimately, we as a society need to acknowledge the failure of the prison system. It is a place that, at best, does nothing to reduce crime and, at worst, is where innocent people go to die.

Annu Saini
Now Magazine
Mar 7, 2018

B.C. solitary ruling: A bold move that may finally bring about change

A historic decision has put Canada at the forefront of an international movement against solitary confinement. The B.C. Supreme Court found that Canadian laws governing solitary (or administrative segregation) are unconstitutional, giving rise to harms that cannot be tolerated in our legal system. The laws discriminate contrary to section 15 of the Charter of Rights and Freedoms, because segregation imposes unique burdens on mentally ill and Indigenous inmates. The laws also violate section 7, because solitary risks the life and impairs the security of all who are subjected to it. The system also lacks basic safeguards, such as independent review and access to counsel at segregation hearings.

The decision breaks sharply from the deference that courts have almost invariably shown to prison administrators in the not-so-distant past. The idea that prisoners retain any legal rights at all while incarcerated is relatively new. For much of the 20th century, the "hands-off" doctrine meant that judges would not intervene in matters of prison administration. The idea was that courts were responsible for setting the length of a sentence, but prisons could carry out the sentence as they saw fit. Judges had no business second-guessing the decisions and policies of prison officials.

That tradition of judicial reticence did not appear here. Justice Peter Leask refused to accept the government's various defences at face value. The government argued that keeping inmates and staff safe is a complicated task, and that segregation is a necessary tool for maintaining institutional security. At the same time, the government denied that Canada even practices solitary confinement. The government's position, in effect, rested on the old assumption that courts should be "hands-off" and not scrutinize the work and narratives of prison officials.

Throughout his reasons, Justice Leask was skeptical of the way that the Correctional Service Canada (CSC) defended its practice of keeping inmates locked in cells for 23 hours a day. CSC argued that segregated inmates benefit from meaningful human contact on a daily basis. Cross-examination, however, revealed the limited and superficial nature of that contact. Segregated inmates eat all meals

in their cells, and their exchanges with staff are brief and conducted through a food slot in their door. Once a day, they leave their cells for a shower and time alone in the yard. An Indigenous elder, trying to visit a segregated inmate to give spiritual advice, testified that he had to kneel or squat on the corridor floor to speak through the locked door.

CSC also pointed to measures in place to address the elevated risk of suicide in segregation. But measures like CSC's Suicide Risk Checklist have serious shortcomings. The Court heard from the father of Christopher Roy, a man who hanged himself in a segregation cell two months after passing the checklist.

CSC argued that administrative segregation is not punishment, unlike the system of disciplinary segregation that, ironically, grants more protections and guarantees time limits. But the Court noted how rarely disciplinary segregation is used, accounting for only 2.5 per cent of placements in 2014 and 2015. The data made clear: CSC prefers the administrative option as an easy form of sanction and control. On this and many other matters in this lengthy opinion, the judge, simply put, was not falling for it.

Notably, the Court held that the practice of isolating inmates must be subject to concrete time limits. No other court or government has been willing to go this far, but even government witnesses in this case agreed that time limits are both achievable and desirable. An actual constraint is the only way to motivate the often slow-moving and complex prison bureaucracy to get people out of solitary as quickly as possible.

A large part of why the decision looks so bold is the extraordinary amount of evidence that was placed before the court. Because of the rich factual record, much of it coming from experienced prison staff, the judge was well-positioned to assess prison realities and security issues for himself. Both the quantity and quality of such evidence were highly unusual in a prison law case. As a result, the decision is a tour de force on the history of the penitentiary and the practice and effects of solitary confinement, in Canada and internationally. It includes material from a dozen expert witnesses as well as several powerful inmate accounts. Nearly all who testified agreed that solitary can be extremely harmful and that it should be subject to strict limits. The court found that rather than making

prisons safe, prolonged solitary can inflict harm on inmates and ultimately undermine security.

The testimony of law professor Michael Jackson, who has spent his distinguished career studying and trying to reform our system of solitary confinement, struck a meaningful chord with the court. Prof. Jackson admitted that developing alternatives to solitary might require building something new. But he said this would be primarily the construction of a new mindset, rather than a matter of bricks and mortar or steel and barb wire.

There are signs that this new mindset is taking shape within our current government. This decision may be a welcome excuse to finally get the required changes done.

Lisa Kerr
Globe and Mail
Jan 18, 2018

Transgender inmates in federal prison to be housed according to gender identity

The federal prison system is changing the way it treats transgender inmates, who will now be placed in a men's or women's facility based on how they self-identify.

Correctional staff must also address transgender inmates by their preferred name and pronoun and offenders will be allowed to shop for both men's or women's items from the correctional service's approved catalogue, regardless of their anatomy or the gender on their identification documents.

These changes come after the federal government added "gender identity and expression" to the list of prohibited grounds for discrimination in the Canadian Human Rights Act last June.

"We are overjoyed that (Correctional Service Canada) is making so many positive changes that recognize the human rights of trans people in the correctional system," said Jennifer Metcalfe, executive director of Prisoners' Legal Services.

"These changes will improve the safety and dignity of transgender federal offenders in Canada, affecting every aspect of their daily lives."

Helen Kennedy, executive director of advocacy group Egale Canada, called the reforms a step

in the right direction but warned that correctional staff are not properly equipped to accommodate transgender prisoners.

"Unless it's implemented with the training that's required for all of those frontline workers, then we could potentially be putting people in harm's way," she said.

Jeremy Dias of the Canadian Centre for Gender and Sexual Diversity applauded the government for following through on its earlier commitments but he said he too would like to see more done to keep transgender prisoners safe.

"This is only halfway there," he said. "In 2018, we have to start thinking of trans and non-binary specific correctional facilities."

While more needs to be done, it is worth celebrating the progress made in advocating for the rights of transgender people in general in recent history, Dias said.

"There was a time not so long ago where we didn't think that these sorts of policies and initiatives were even possible."

A joint statement from Prisoners' Legal Services, the Correctional Service of Canada and the Canadian Human Rights Commission said the reforms are the result of years of collaboration.

The head of the human rights commission, Marie-Claude Landry, said the reforms are about respect and human dignity, which every person is entitled to, including those in the prison system.

The changes also emphasize the privacy and confidentiality of an inmate's gender identity, which will be shared only if relevant and only with those directly involved in a prisoner's care.

Individualized protocols will also be offered to transgender inmates, which include accommodations when accessing shower and toilet facilities and the choice of male or female officers to conduct frisk and strip searches, urine testing and camera surveillance.

CSC commissioner Don Head said the service is committed to building a safe, inclusive and respectful environment for everyone, including transgender staff, offenders, volunteers and visitors.

Geordon Omand
The Canadian Press
Jan 31, 2018

Tattoo programs in Canada's prisons would help curb hepatitis, HIV: Memo

OTTAWA - Setting up tattoo parlours and needle-exchange programs in penitentiaries would help reduce the spread of hepatitis C, the federal prison service has told the Trudeau government.

A Correctional Service memo obtained under the Access to Information Act advises Public Safety Minister Ralph Goodale the proposals "warrant consideration" to round out existing and planned measures to fight hepatitis and HIV in prison.

Prison tattooing and needle-exchange programs for drug users have generated intense controversy over the years and the March 2017 memo says detailed research should be carried out before embarking on a syringe needle program, in particular, "to avoid unintended and negative consequences for inmates."

In response to questions, the prison service and Goodale's office said Monday they were exploring options "to better prevent, control and manage infectious diseases" but did not provide details about possible tattoo or needle programs.

The current approach to prevent and control blood-borne and sexually transmitted infections includes screening, testing, education, substance-abuse programs and treatment.

The prevalence of HIV among federal inmates decreased to 1.19 per cent in 2014 from just over two per cent in 2007, according to the memo. But it stood at six times that of the general Canadian population.

Similarly, the proportion of inmates with the hepatitis C virus fell to 18.2 per cent in 2014 from 31.6 per cent in 2007. Yet the incidence was still about 23 times that of the general population.

Federal prison ombudsman Ivan Zinger recently called on the Correctional Service to bring back its safe tattooing program.

His annual report said tattooing in prison frequently involves sharing and reusing dirty homemade equipment - linked to higher rates of hepatitis C and HIV among inmates - and there is often no safe means of disposing of used tattoo needles.

In 2005, the prison service began a pilot program involving tattoo rooms in six federal institutions, but two years later, the Conservative government of the day ended it.

The memo to Goodale says an internal evaluation of the pilot indicated that it increased awareness about disease prevention and had the potential to reduce exposure to health risks. In addition, neither inmates, staff, nor volunteers reported health and safety concerns with the program.

"In fact, the evaluation indicated that the majority of staff believed the initiative made the institution safer for both staff and inmates."

Safer tattooing could reduce hepatitis C virus transmission within federal prisons by 17 per cent a year, the memo says.

The Correctional Service has tried to keep illicit drugs from entering prisons, but acknowledges that some still make their way into penitentiaries. Although the prison service has made bleach available, it has drawn the line at offering clean needles.

A program to provide clean drug-injection needles to prisoners could reduce the spread of hepatitis C by 18 per cent a year, the memo says.

In the case of both safer tattooing and needle programs, it wasn't possible to gauge the potential effect on HIV prevalence or spread among prisoners due to the existing low HIV rates.

The Canadian HIV/AIDS Legal Network has long argued for needle-exchange programs in Canadian prisons. However, Correctional Service officials have raised concerns about syringe needles being used as weapons.

The memo to Goodale recommends weighing the effect a needle program might have for workplace safety regimes, and it suggests more research be done on the effectiveness of such an initiative from both clinical and cost standpoints.

Jim Bronskill

The Canadian Press

Feb 19, 2018

Another world is not only possible, she is on her way.

On a quiet day, I can hear her breathing.

- Arundhati Roy

As long as one keeps searching, the answers come.

- Joan Baez

< *Poems* >**Freedom is**

Freedom is not just word, or an action
 It's a feeling
 To be so completely unhindered, uninhibited,
 independent
 In what you think & say & sense
 Freedom is Independence, Release
 Freedom is emancipation
 Freedom is immunity, & impunity
 Freedom is deliverance from all your worries
 Freedom is openness & spontaneity
 Freedom is awesome, amazing, brilliant, intense

Freedom is Beautiful

- Shauna Allison

Untitled

Where's the love when I have
 No food to eat ...
 Where's the love when I have
 No shoes on my feet
 I resort to crime cuz I'm
 Just a number on these streets

Tom Lesperance

Voice Unheard

We the wrongfully convicted are the voice
 unheard
 Our family lost faith in us innocents in prison
 Our voice shrivels when no one responds to our
 pleas
 We are the voice unheard
 Our pleas fall on deaf ears & mute mouths &
 blind eyes
 We become invisible to the free world
 We have been judged, juried & emotionally
 executed by our own peers
 We scream innocence but no one hears cause
 We are the voice unheard
 Our voice has vanished

- Unheard, Unseen Man

Guess What?

How can you fix something by
 Convincing it that it is broken?
 By putting it through hell
 In a cell & let it bottle up emotion?
 Society is at risk is what they say
 Now he needs pills to cope day by day
 The Federal gov says they know how to
 rehabilitate
 The real truth is they make \$ & profit from
 inmates

- Ryan Emery

Systemic Epidemic

They want from me, submission ...
 But they only cause resentment,
 Rebellion & suspicion!
 The judicial system'z twisted, so I'm sittin'
 Convicted, yet innocent, up in this bitch hit
 Kicked & bitten
 By that captivity bug, me & my brotherz
 R so used 2 gettin'
 So most r infected, info-malnourished n stricken
 Wit this criminalistic sickness
 We surrounded by & given
 Pivoting on the edge, witnessing murder, tyranny,
 Poverty & prison
 Still we strive 2 live what we envision
 Scenez n snapshots of what we hear in music
 And see on television
 Just a taste of 'The Good Life', Why? ...
 Cuz it's all we ever dreamed of
 Since kidz n our teen transitionz
 But the inner-city & prison is our reality
 And literal position
 Until drastic change is arranged ...
 The rest is just formality, procedure & fiction
 So I sit here playin' this waiting game,
 Under wrongful conviction
 Last chapter of my 'Convicted Criminal
 Confessionz'
 Let it be written

Randy Brabant

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

- Rehana Hashmi

My Life

*Jails & Institutions
That all I know
Wards of the courts
At 10 years old*

*Struggling to survive
Being fed nothing but lies
Neglected & abused
Growing up, I was confused*

*They say pain is temporary
And pride is forever
I'll get that tattooed on my back
And that, this is all just an act
But it's not, it's life*

*So I focus on what's real
My children
So they don't have to feel
What I feel*

*So they don't have to live
The life I did
So they can grow up
To be good kids*

*Not like me, Jail these days
Has become home to me!*

- Rebecca Saunders

How High, How Wide?

*My prison window is not large
Five inches high, six inches wide,
Perhaps seven.
Yet it is large enough to show
The whole unfettered to and fro
Of heaven.
How high, how wide is heaven?
Five inches high, six inches wide,
Perhaps seven.*

- Joe Wallace

The only interesting answers are those that
destroy the questions.

- Susan Sontag

The Rights of Prisoners (Excerpt)

We are fighting for the rights of prisoners. We do not lay claim to any rights which you as a citizen of Canada and a human being are not entitled to.

We lay claim to the following rights:

*The Right to meaningful work with fair wages,
The Right to useful education and training,
The Right to proper and adequate medical care,
The Right to freedom of speech and religion,
The Right to freedom of the press,
The Right to free and adequate legal services,
The Right to independent review of all prison decision making and conditions,
The Right to vote,
The Right to form a union,
The Right to adequate work and fire safety standards,
The Right to marry and raise a family in such a way as family is not punished for our transgressions,
The Right to Natural Justice and Due Process,
The Right to determine the path of our own future,
The Right to be treated as Human Beings.*

This is a long and frustrating fight. I do not know if our goals will be realized while I am a prisoner. But what of the man who takes my number when I am gone? I don't want to see him suffer the pain I have. In order for us to reach this goal in our lifetimes, we must educate you, The Public.

We must show you the odious attitude, arrogance and actions which affect our lives. But will we be able to in time? If there is one thing which prisons breed into prisoners, it is impatience.

We have a long fight ahead of us. I hope our struggles are not wasted. Any reactions to this article, be they negative or positive, are most welcome.

JR Boisclair
Millhaven Pen.
Bulldozer, Aug 1980

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

- Harriet Woods

Justice system report slams Alberta for hiding Indigenous incarceration rates

The government of Alberta is being lambasted in a review of Canada's justice system as the only province to keep secret the number of Indigenous people it has locked up over the last five years.

The criticism comes as part of an annual report card released Monday by the Macdonald-Laurier Institute that ranks the provinces and territories in terms of access to justice, efficiency, cost, public safety and support for victims.

Alberta is the only province that doesn't make public its disproportionately high Indigenous incarceration rate, said report co-author Benjamin Perrin.

"It's unconscionable to keep secret the number of Indigenous people who are being sent to jail in that province every year," Perrin said.

He is a law professor at the University of British Columbia in Vancouver.

"We flagged this as a problem in our first report in the fall of 2016. We expected (Alberta) would start giving this data, but it hasn't."

Alberta's Justice Department did not respond immediately to a request for comment, but the Edmonton Journal quoted a government statement saying it had missed last year's Statistics Canada deadline because of a software turnover and would provide the information moving forward.

"That's a bit like 'the dog ate my homework' kind of excuse," Perrin noted, saying it failed to explain why the government has neglected to release the information since 2012.

"This comes at a time of very serious concern about the treatment of Indigenous people by the justice system. People have a right to know."

While Indigenous incarceration rates are disproportionately high everywhere in Canada, they are especially high in Alberta, B.C., Ontario, Saskatchewan and Manitoba, the report noted.

The overall justice system received a mixed grade in Monday's assessment, following last year's inaugural review, which concluded the country suffered from a large and growing "justice deficit."

The 2017 report card celebrated a notable drop in crime rates and a boost in legal aid funding relative to the previous year, but those improvements were overshadowed by a spike in

costs, lengthier court delays and the persistent over-representation of Indigenous people in prisons.

The Ottawa-based think tank called for more data collection and monitoring by Statistics Canada to better identify and track problems that have, for too long, gone unacknowledged or unaddressed.

The assessment called for additional research into how Canadians view the police, courts and justice system at large, as well as more information on victims of crime, including referral rates for victim services.

Perrin also pointed to the need for more analysis of recidivism rates and the number of criminal cases that are stayed due to unreasonable delay.

"By arming governments, police, courts and the public with this data, we hope that it can support better decision-making and law-reform efforts," he said.

The 2017 analysis dubbed Ontario the most improved jurisdiction after it rose to fourth place from seventh, while Quebec and British Columbia each dropped two rankings.

Prince Edward Island continued to lead the pack, while Manitoba remained the lowest-ranked province, thanks in part to having one of the lowest victim restitution rates in the country and the highest proportion of accused offenders on remand while awaiting trial.

The report also found a "shockingly high" rate of violent crime in the territories — in some cases 10 times greater than their provincial counterparts, a situation Perrin described as "dire."

The assessment highlighted some areas of improvement, noting that, between 2016 and 2017, Canada as a whole saw a slight drop in crime rates, fewer police officers required per capita and rising support for legal aid.

Among the many differences identified between various jurisdictions, a much higher proportion of accused people were found to be unlawfully at large in Quebec and Prince Edward Island compared with Nunavut, New Brunswick, or Ontario.

Public confidence in the justice system and the courts were found to be lowest in Manitoba, B.C. and Quebec and highest in New Brunswick and Ontario. As for public confidence in police, the highest levels were observed in Saskatchewan, New Brunswick, Newfoundland

and Labrador, and lowest in Prince Edward Island, B.C. and Quebec.

While the rates of police solving non-violent crimes has declined in most parts of the country over the last five years, B.C. earned the distinction of having the lowest rates of resolving both violent and non-violent crimes, at about 52 per cent and 20 per cent respectively.

The federal justice department did not immediately respond to a request for comment.

Geordon Omand
The Canadian Press
Mar 5, 2018

Understanding changes to solitary confinement in Canada

Ever since the deaths of Ashley Smith in 2007 and Eddie Snowshoe in 2010, there has been an increased focus on the use of solitary confinement in Canada. In the past two months, there has been a significant redevelopment of the law with respect to the use of solitary confinement in federal penitentiaries. First, Justice Marrocco of the Superior Court in Ontario ruled that the process of reviewing a decision to send someone to solitary confinement is unconstitutional. A month later, Justice Peter Leask of the British Columbia Supreme Court found several aspects of the solitary confinement legislation to be unconstitutional. While the decisions restrict the ability to place federal inmates in solitary confinement, some argue they don't go far enough.

In Ontario, the Canadian Civil Liberties Association (CCLA) applied to the court for various different restrictions on the use of solitary confinement. They asked for a time limit on the use of solitary confinement and additional protections for younger inmates and inmates that suffer from mental illness. The one request that Justice Marrocco granted had to do with the process for reviewing decisions to place inmates in solitary confinement. Currently, reviews are heard by wardens of the same jail where the decision was made. Perhaps unsurprisingly, Justice Marrocco concluded that this violated an inmate's right to have a fair review process. The CCLA argued that, in order to be fair, the review needs to be heard by staff who are outside of the Correctional Service of

Canada (the department of the federal government that operates penitentiaries). On this point, Justice Marrocco disagreed. Instead, he placed a number of restrictions on the jail staff who could review the warden's decision. The CCLA has filed their appeal of Justice Marrocco's decision to the Ontario Court of Appeal.

A month after Justice Marrocco released his decision, Justice Leask of the British Columbia Supreme Court delivered his decision in a similar case brought by the British Columbia Civil Liberties Association and the John Howard Society of Canada (the Plaintiffs). The Plaintiffs in BC made arguments that were similar to those advanced by the CCLA in Ontario. While Leask agreed with Justice Marrocco that the review process for solitary confinement decisions was unfair, he went further. He concluded that it was unfair to leave these decisions to any staff members of the Correctional Service of Canada. He also found that it was necessary to place time limits on the amount of time that inmates could spend in solitary confinement and that it is necessary to amend the laws in order to ensure that they are responsive to inmates who are indigenous and inmates who suffer from mental illnesses.

Fortunately for inmates in Ontario, the structure of legal decision-making is such that they are likely to benefit from Justice Leask's decision, even though it was made in BC. This is because the cases are both in relation to federal law, which applies across the country. Both judges have given the federal government 12 months to make changes to these laws to ensure that they comply with the judges' decisions. As long as the federal government doesn't appeal Justice Leask's decision – and they very well may – then they will be required to change the solitary confinement laws to the higher standard set by Justice Leask, for the benefit of federal inmates across Canada.

Brian Eberdt
Now Magazine
Jan 23, 2018

Injustice anywhere is a threat to justice everywhere.

- Martin Luther King Jr.

Ontario agrees to end solitary confinement for mentally ill inmates

Inmates with mental health disabilities will no longer be placed in solitary confinement barring exceptional circumstances under an agreement announced Thursday between the Ontario government and the province's human rights commission.

The consent order issued by the Human Rights Tribunal of Ontario mandates the province end the use of segregation for the mentally disabled across its 26 correctional facilities.

"The order confirms that the government must take immediate action to end the segregation of people with mental health disabilities," Renu Mandhane, chief commissioner of the Ontario Human Rights Commission, said in a statement. "It also includes measures that will keep the spotlight on corrections for years to come."

The order - which comes amid two separate court challenges against the overuse of segregation at the federal level - arose from an application filed in 2012 by a woman who said she was placed in long-term segregation at the Ottawa Carleton Detention Centre because of her mental-health disabilities and gender.

The commission intervened in the case and the parties reached a settlement in 2013 that should have resulted in major reforms to Ontario's use of segregation. However, the commission maintained last fall that the province had breached the settlement.

"The order resolves the contravention application and sets out concrete steps that Ontario must take to make sure people with mental health disabilities are kept out of segregation," the commission said. "These include accurately identifying prisoners with mental health disabilities, as well as tracking and monitoring segregation use and its impact on health."

Among other things, the order calls on the province to define "segregation" to cover cases in which inmates are isolated in their cells for 22 or more hours a day - except in cases of lockdowns.

Key to the process is the requirement to properly identify inmates with mental-health disabilities - including those at risk of self-harm or suicide - and issue appropriate alerts verified by professionals. Such an alert would act as an indicator that "alternatives to segregation must

be considered to the point of undue hardship," the order states.

At the legislature, Corrections Minister Marie-France Lalonde - a former social worker - said she was pleased with the settlement and the government's goal was to effect "real change." At the same time, she said she didn't have "all the answers" but hiring more staff and enhanced programming are parts of the solution.

"We have to look at the whole concept of segregation. We've seen this from a federal perspective, we've seen this (in Ontario)," Lalonde said. "(But) we have to stand our own feet on this one."

What remains to be seen is exactly how the mentally ill will be housed in correctional facilities but better health care is critical, she said.

A "baseline" study is due within weeks in which the province will review the files of all mentally ill inmates in segregation to determine how long they've been there and what kind of care they have received, treatment plans, and what alternatives to solitary were considered before the placements.

The province has also agreed to report within 18 months how best to serve mentally ill female inmates. It will also ensure adequate psychiatric care is available to all prisoners.

The order also requires the government to collect and release data on segregation use, consult an independent expert to implement its terms, and to appoint an independent reviewer to monitor compliance.

"We call on the government to introduce legislation that places human rights at the centre of provincial corrections and addresses the needs of Indigenous and black prisoners, who remain overrepresented in prisons and jails," Mandhane said.

Colin Perkel
The Canadian Press
Jan 18, 2018

There are so many ways of being despicable it quite makes one's head spin.

But the way to be really despicable is to be contemptuous of other people's pain.

- James Baldwin



End Immigrant Detention Network

We are an organization of volunteers working towards justice for those incarcerated. Many of us are women and trans people of colour. Our main focus has been on immigration detainees. However, we want build relationships with ALL inmates.

We run two phone lines in Ontario:

- If you are in a facility with a 705 area code, call us collect at 705-340-4432 on Wed, Thurs, Fri, or Sun from 2-4.
- If you are in a facility with a 905 or 416 area code, call us collect at 416-775-0242 any day.
- If we do not pick up the first time, keep trying - sometimes we can't answer.

Not in Ontario? Need a listener or pen pal? Write us here:

The Centre for Women & Trans People
U of T, North Borden Bldg
563 Spadina Ave, Room 100
Toronto, ON, M5S 2J7



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.



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

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.

Harvoni: \$60,000 - 8 weeks (Genotype 1, low viral load, never-treated)

Harvoni: \$90,000 - 12 weeks (Genotype 1)

Sovaldi: \$55,000++ perhaps with other drugs for Genotypes other than Genotype 1

Federal Prisons: *you may be able to start your treatment while inside.*

Provincial Prisons: *Depending on the province, you may 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 work done so you can get into a Treatment Program at no cost to you.

Important: most prisons, provincial drug plans, and private plans restrict the new drugs to people who have chronic hep C plus scarring of the liver (stage F2 or higher fibrosis). Both never-treated & people for whom Peg-Interferon & Ribavirin did not work are eligible for the newer treatments. For people with hep C and no liver scarring or light scarring (less than F2 fibrosis), it's still Peg-Interferon & Ribavirin. Get your liver tested! New tests have replaced biopsies: Fibre-test (blood) & Fibro-test (imaging).

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

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.

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.

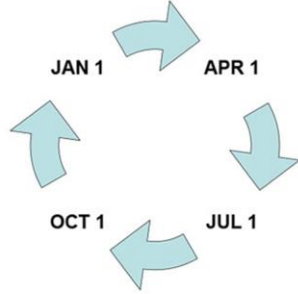
Prisoners and their loved ones are invited to contribute music requests, messages and suggestions for the program.

*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 August 10

- CLASS ACTION! NEWS -



- MAILOUT DATES -

✧ Issue #9 - Spring 2018 ✧

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

download, print, contact:
www.ClassActionNews.org

Next Issue: #10 - Summer 2018
Deadline: Jun 1, 2018
Mail-out: Jul 1, 2018

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 !



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