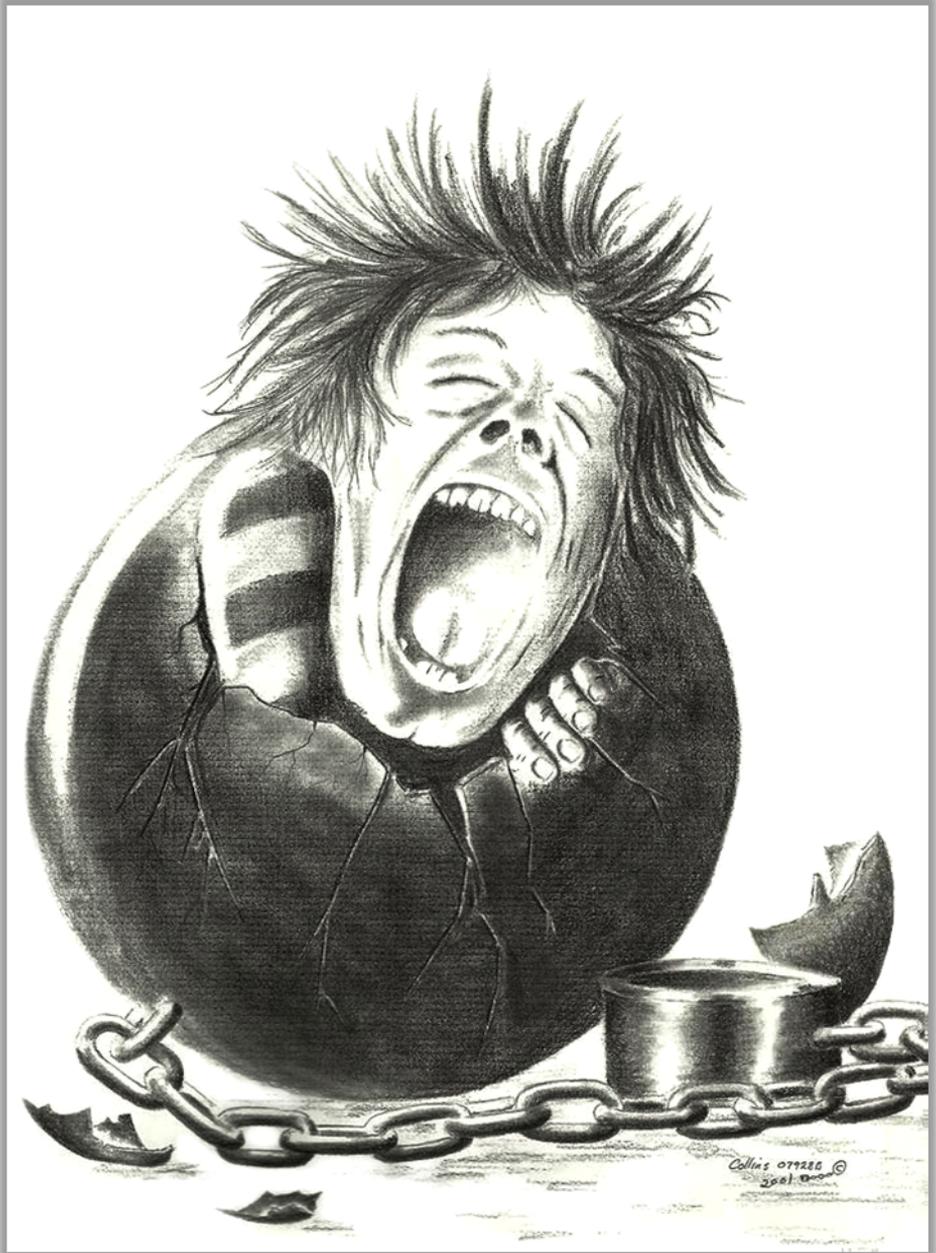


CLASS ACTION!



ISSUE #1 - SPRING 2016

Editor's Note:

Dedication:



Greetings & welcome to the very 1st Issue of 'Class Action News'. This is a magazine by & for the Prisoner Class in Canada.



Thank you, Pete.

This Issue is dedicated to Peter (Pete) Collins, a fearless injustice fighter, artist, musician, activist, Lifer, and so very, very much more.

Pete passed away from cancer on August 13, 2015, in Bath Institution near Kingston, Ontario, having been denied compassionate release by the Parole Board of Canada despite many appeals.

Pete was a courageous and determined advocate for prisoners' rights.

Pete was also a talented and prolific artist. He taught himself how to play guitar while in prison and produced hundreds of amazing artworks that reflected his perspective on the struggle against degrading conditions in prison.

He is remembered for his work for justice, his creativity, his sense of humour, his kind heart and his unwavering integrity.

Respect.

Thank you, for you.

This paper serves as a safe & constructive space for creative expression & literacy development. It features art, poetry, stories, news, observations, concerns, anything of need & interest to share. Health & Harm Reduction info will always be here as well - Be Safe!

Send in your art, poems, news and short stories to Class Action News if you would like your voice included in a future Issue. (1/2 page: 350 words) For personal protection, writing credits will all be 'Anonymous' unless otherwise requested.

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

'Class Action News' is produced 4 times per year. It is free for prisoners in Canada.

If you are on the outside or part of an organization, please consider a donation.

Editor: Tom Jackson
Publication: Class Action News
Publisher: Prison Free Press
PO Box 39, Stn P
Toronto, ON, M5S 2S6
Email: info@ClassActionNews.org

Circulation: 350+
Recirculation: ?,???

All original artwork, poems & writings are the sole/soul property of the artist & author.

Fair Dealing & the Canadian Copyright Act Sections 29, 29.1, 29.2:

"Fair dealing for the purpose of research, private study, education, parody, satire, criticism, review, and news reporting does not infringe copyright."



Cover Art & Page 15: Pete Collins

The 10 most distressing numbers on Canada's federal prisons

The 10 most distressing numbers from Correctional Investigator for Canada Howard Sapers's damning report on the state of Canada's federal prisons, released March 10.

50%: The proportion by which the aboriginal inmate population in federal prisons grew during the law-and-order Harper years between 2005 and 2015. The number of aboriginal women entering the system has almost doubled in that time. About 25 per cent of the total federal inmate population of 15,000 in Canada is aboriginal; 35.5 per cent of all women in custody are aboriginal.

69%: The proportion by which the black inmate population grew during the same decade. "These increases continue despite public inquiries and commissions calling for change and Supreme Court of Canada decisions urging restraint," the report states.

More than 6,200: The number of formal inmate complaints handled by the Office of the Correctional Investigator in 2014-15, one of the highest caseloads in recent years. The office also conducted some 1,510 reviews of incidents involving use of force against inmates and 167 reviews of incidents involving assault, death, -attempted suicide and self-harm.

One in four: The proportion of inmates in the federal prison population who are over 50. That's one-third more than just five years ago. According to the report, "The system has become so risk averse that even elderly, chronically ill and geriatric persons who no longer pose any ongoing or dynamic risk to public safety are commonly held to their statutory or warrant expiry dates." The prison population is not only getting older; it's also getting sicker. About 68 per cent of federal inmates are overweight or obese. That number increases to 90 per cent for those over 65. The average age at death for a federal inmate is around 60 – much younger than the Canadian average of 78.3 for men and 83 for women.

30%: The proportion of women offenders who were previously hospitalized for psychiatric reasons. Even more troubling: six in 10 women in the federal prison system are on some form of psychotropic medication to manage their mental health.

Close to 70%: Women in federal prisons who report a history of sexual abuse. More than 86 per cent report having been physically abused at some time in their lives.

578: "Self-injury" incidents involving women inmates in 2013-14. Nearly three-quarters of those occurred at one facility: Regional Psychiatric Centre, Saskatoon. Overall incidents of prison self-injury have tripled in the last decade.

1 in 5: Deaths by suicide, which is the leading cause of unnatural death in federal prisons. Just under half of those who took their lives behind bars were on prescribed medications. Segregation is a major contributing factor to suicides behind bars. Almost half, 14 of the 30 suicides in federal prisons in 2014, took place in segregation cells. Five of the 14 had been held in segregation for more than 120 days prior to taking their lives. Of the 659 inmates in segregation today, 13.7 per cent have a history of self-injurious behaviour. The average length of segregation in 2013-14 was 27 days.

\$108,376: Yearly cost of keeping a male federal inmate in jail. The cost is nearly twice that for women inmates. By contrast, the cost of keeping offenders in community is 70 per cent less. Meanwhile, total criminal-justice costs (police, courts, corrections, parole) have risen by almost 25 per cent in the last decade, while the national crime rate has fallen dramatically.

\$6.90: The maximum daily wage a federal prisoner can earn. That number hasn't changed since 1981, the report says, eroding "the possibility of having any meaningful savings to support reintegration or maintain familial obligations on the outside." About 60 per cent of offenders were identified as being chronically underemployed or unemployed at the time they entered federal custody. And fully 60 per cent have a formal education of Grade 8 or less.

From the report:

"The past five years have seen an unprecedented number of sentencing and policy reforms. Taken together, their cumulative effect has profoundly changed the discourse and practice of criminal justice in Canada, and has contributed to the erosion of some long-standing evidence-based correctional principles and practices."

Enzo DiMatteo
Now Magazine
Mar 16, 2016

Start prison-based needle and syringe programs, researchers suggest

The Liberal government should implement prison-based needle and syringe programs to address rates of HIV and hepatitis C, proponents say.

The Liberal government should implement prison-based needle and syringe programs to address rates of HIV and hepatitis C estimated to be 10 to 30 times higher than in the general population, proponents say.

Emily van der Meulen of Ryerson University, the lead author of a recent study, said she wants to see the government review evidence on the effectiveness of programs that have operated in countries like Switzerland for more than 20 years.

"I'm hopeful that the government will look to this evidence, as well as to our recent research report," she said.

The issue is about health and human rights, she noted, adding that prisons where such programs have been implemented have seen substantial benefits, including reduced rates of needle-sharing and overdoses.

It would also be cost-effective, she said.

"The costs associated with HIV and hepatitis C virus are very high in prison — roughly \$30,000 per year for HIV treatment and about \$60,000 for hepatitis C," she said.

"Research has shown that needle and syringe programs are among the most cost-effective health measures for people who use drugs, whether in the community or in prison."

Canada lags behind on implementing such programs, said Sandra Ka Hon Chu of the Canadian HIV/AIDS Legal Network.

"We have the resources in Canada to implement these programs," she said.

"We have the evidence in Canada to implement these programs. There are many groups across the country who support these programs."

As the implementation push continues, the issue is playing out in court.

A former prisoner, along with organizations including the HIV/AIDS legal network, filed a lawsuit against the government in September 2012 because it did not make needles and syringes available in prison to prevent the spread of HIV and hepatitis C.

In an interview with *The Canadian Press*, prison watchdog Howard Sapers said his office has previously recommended that the Correctional Service of Canada explore all harm-reduction options, including needle-exchange programs.

There are particular issues related to incarceration that accelerate the spread of infectious diseases, especially those that are blood-borne, Sapers said.

"You have a high density of people living in fairly confined spaces. You also have contraband drug use, often injectable drug use. You have prison tattooing and you also have sexual contact. All of these activities really increase the chances of spreading disease and we see that manifest in things like HIV rates, which are much higher inside an institution than they are in the community outside the institution, and hepatitis rates."

In a statement on Friday, a spokesperson for Public Safety Minister Ralph Goodale said the government cannot comment on the prison-based needle exchange and syringe issue due to the ongoing litigation.

The government is committed to implementing evidence-based policies, said press secretary Scott Bardsley.

The minister has also been mandated to address gaps in services to indigenous peoples and those suffering from mental illnesses in the criminal justice system, including the often-interrelated issue of addictions, he said.

Aboriginal women were identified as a particularly high-risk group because they reported the highest rates of HIV and hepatitis C infections, according to a 2007 study by the Correctional Service of Canada.

Kristy Kirkup
The Canadian Press
Feb 12, 2016

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

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

BLEACH DOES NOT KILL HEP C

Imagine a world without juvenile prisons

The city of Seattle, Washington, plans to never put another young person in jail. Is it a naïvely utopian vision or an idea whose time has come?

In September, the Seattle City Council unanimously approved a motion calling for zero youth incarceration. Seattle councillor Mike O'Brien told us the idea emerged as community groups met to oppose a county plan to build a new \$200-million youth prison.

Interestingly, the story broke right after Craig was in L.A. meeting youth organizations, including the team from the Challenger Memorial Youth Centre - a detention facility for young people in Los Angeles, California.

At Challenger, educators are using our organization's service learning curriculum to teach empathy and community engagement to young offenders involved with L.A.'s notorious street gangs. Leslie Zoroya, Challenger's lead educator, told us that that simply learning about, and getting involved in, local and global issues is already making many of her young charges rethink their life choices.

Seattle's initiative and the L.A. experience make us question if prison is the best option for dealing with young offenders.

In juvenile detention facilities, youth are disconnected from community and family, with mostly other offenders as role models. This only reinforces negative behaviours and attitudes, according to juvenile justice experts.

"Research shows the earlier and longer youth spend in the system, the worse the outcomes are," says Peter Leone, a professor at the University of Maryland who has studied juvenile justice measures around the world for more than 20 years.

It costs approximately \$100,000 a year to incarcerate one young person in Canada. If that individual becomes a hardened life-long criminal, the amount will exceed a staggering \$2 million, according to a Boys and Girls Clubs of Canada presentation to a House of Commons committee. That's why it's important to consider alternatives to jail.

There's restorative justice, where offenders face their victims in a mediated setting outside the courts and agree on restitution. This approach results in surprisingly high levels of satisfaction for victims. New Zealand, a pioneer in restorative justice, has been using it extensively since 1989

as an alternative to putting youth in prison, according to Leone.

"Diversion programs" are another option. They give police, prosecutors and judges the flexibility to waive charges if a young offender accepts help such as drug rehabilitation or mental health treatment.

Councillor O'Brien told us about a Seattle effort targeting adult homeless drug addicts and sex trade workers that provides housing and 24-hour support services instead of prison sentences. The program has reduced recidivism by 60 per cent and may become part of Seattle's zero-incarceration strategy for young people.

Denmark maintains only about 10 youth prison spaces for the entire country, and they are reserved for serious violent crimes, Leone tells us. Other young offenders go into social programs.

Kim Pate, executive director of the Canadian Association of Elizabeth Fry Societies (a justice reform organization) told us that in the early 1970s, the state of Massachusetts successfully shut down all its youth prisons and transferred offenders to community facilities like group homes. It has maintained that approach ever since.

In Canada, the number of young people in juvenile detention has decreased dramatically since the Youth Criminal Justice Act was passed in 2003, forcing judges to consider alternatives to prison like community service, says Pate. And our country has a growing network of local restorative justice programs.

These approaches are investments in young people that have an economic and social ripple effect, achieving lower rates of youth crime and recidivism.

There will always be a handful of young offenders who commit crimes dire enough to warrant prison. Zoroya admitted there are some youth at Challenger who she believes are just too "ingrained" to ever turn their lives around.

But we share Leone's optimism that, with innovation solutions that tackle root problems instead of aiming to throw away the key, the overwhelming majority of young offenders never need see the inside of a jail.

If Seattle can dream of a world without youth prisons, why can't Canada?

Craig and Marc Kielburger
Huffington Post - Nov 06, 2015

Teen inmate suing B.C. over alleged solitary confinement

A British Columbia teen who says he was held in solitary confinement for four months has filed a lawsuit against the provincial government, the latest in a flurry of suits involving the practice in Canada.

The legal challenges come as critics call solitary confinement cruel and harmful, and argue it increases inmates' suffering. The use of solitary confinement has been on the rise in Canada, even as jurisdictions such as the United States and Britain have scaled back its use.

The teen, who is not identified in the notice of civil claim, filed his lawsuit this week in B.C. Supreme Court. The lawsuit says he suffers from both an intellectual impairment and a severe behavioural disorder. It says he was involved in an altercation with a correctional officer in November, 2014, and was subjected to solitary confinement until March. He was 17 at the time.

"This is the last person you want to be putting in solitary confinement, and the fact that it was so lengthy exacerbates a problematic situation," Christopher Terepocki, the teen's lawyer, said in an interview Wednesday.

The Globe has exposed widespread problems with solitary confinement, including the suicide of Eddie Snowshoe after 162 consecutive days in segregation.

A \$125-million class-action lawsuit was filed earlier this month against the Ontario government over its use of solitary confinement for youth.

The lawsuit alleges the province's youth-justice centres regularly violate policies meant to limit the use and duration of solitary confinement.

Earlier this year, the B.C. Civil Liberties Association and the John Howard Society of Canada sued the federal government over the use of solitary confinement in prisons.

Though the former Conservative government defended the practice, Prime Minister Justin Trudeau last week directed his Justice Minister to implement recommendations from an Ontario coroner's inquest into the 2007 death of teenager Ashley Smith that would ban long-term solitary confinement for federal inmates.

B.C.'s Ministry of Children and Family Development, which operates the Burnaby Youth Custody Services Centre where the teen was

held, said it would not comment on the lawsuit because the matter is before the courts.

In a statement, however, a ministry spokesperson wrote that "separate confinement arrangements" are made for youth at custody centres "on very rare occasions."

"These rare circumstances are continuously reviewed to assess when it is safe, and in the youth's interest, to be reintegrated with other youth," the statement read.

The statement did not answer a question on how many B.C. youth had been placed in solitary confinement.

The lawsuit says the teen was moved to a separate confinement unit immediately after the altercation with the correctional officer for the maximum allowable period of 72 hours. However, the lawsuit says, rather than release the teen back to his former living area, centre staff sent him to a different unit where he lived alone.

The lawsuit says B.C.'s ombuds-person expressed concern about the situation about two months after the solitary confinement began. It says that while centre staff then agreed to let the teen contact a social worker, it was another two months before he was permitted to again reside with other youth.

The teen is charged with second-degree murder, attempted murder and firearms offences. A trial date has not been set. He has since been transferred to Surrey Pretrial Services Centre, an adult facility. The teen, who recently turned 18, is a refugee from South Sudan.

Mary Ellen Turpel-Lafond, B.C.'s children's representative, said in an interview that she is familiar with the teen. Generally, she said, it should be policy to never use solitary confinement for youth.

"The evidence is very strong that using isolation, using separation, over a long period of time – more than a short de-escalation period – is not helpful for young people," she said.

Ms. Turpel-Lafond said greater mental-health supports for in-custody youth are needed.

"They came through the criminal justice door, but that is because they are in very rough shape, and we don't want them to come out that criminal justice door in worse shape," she said.

Sunny Dhillon
Globe and Mail - Nov 25, 2015

Ontario government sued for putting youth in solitary confinement

Seeking an end to solitary confinement for juvenile criminals, lawyers filed a class-action lawsuit Wednesday against the Ontario government, saying the practice is always cruel and harmful.

The \$125-million lawsuit is the latest in a growing legal fight against the practice of segregation in Canada. It alleges that youth-justice centres regularly violate Ontario policies meant to limit the use and duration of solitary, and advocates to give youths access to legal help to stay out of segregation. It also says children as young as 12 are being placed in solitary.

Solitary “will always fly in the face of the purpose of youth justice, which is to rehabilitate children,” James Sayce, a Toronto lawyer who is involved in the lawsuit, said in an interview.

The lawsuit was filed in the name of John Doe, who was incarcerated at the Genest Detention Centre for Youth in London. The suit says he was regularly subjected to long periods of solitary confinement. It does not say how long, when or at what age he was incarcerated. (It also does not say what the teenager was convicted of, or give his current age or any details about him, and Mr. Sayce cited youth-justice confidentiality laws in declining to elaborate.)

A report in August from Irwin Elman, the Provincial Advocate for Children and Youth, found that 164 young people in Ontario were placed in solitary (known as “secure isolation” in Ontario) for longer than 24 hours; 38 were for longer than 72 hours and 13 lasted more than five days. In rare cases, youths spent more than 15 days in the isolated cells.

A spokesperson for the Ministry of Children and Youth Services, which oversees youth detention centres, said that the department’s top priority is “the safety and well-being of all who work and reside in youth justice facilities,” and that the use of secure isolation in youth facilities is declining. The spokesperson said the department would not comment directly on the allegations raised in the lawsuit, saying that it would be inappropriate to comment on a matter that may come before a court. She also said that, since 2003, youth crime has dropped 46 per cent and custody admissions have fallen 72 per cent.

The case follows a lawsuit brought in January by the B.C. Civil Liberties Association and the John

Howard Society alleging that the federal government’s use of solitary confinement leads to the deaths of prisoners, discriminates against mentally ill and aboriginal inmates and is unconstitutional. Mr. Sayce filed a separate class-action lawsuit in Ontario in July, saying the federal use of solitary violates the rights of the mentally ill. The federal government has kept the practice in widespread use, with some changes in response to the 2007 death of Ashley Smith, who at age 19 had spent nearly a year in solitary before dying from self-inflicted strangulation.

Under Ontario law, solitary is to be used only when a youth is expected to cause imminent property damage or serious harm to another person, and when no less restrictive means of restraint is available. Once the crisis is over, the confinement in solitary is to end. Maximum stay for those under 16 is set at eight hours in a day, or 24 hours in a week; those over 16 can be held for three days straight, or longer if a provincial director approves. And the youths must be advised of their right to talk to the Provincial Advocate or a lawyer when placed in solitary.

The class-action lawsuit claims that the government regularly violates those rules – youths are placed in solitary when they are no threat to others or to property; they remain in solitary long after crises pass; those under 16 are regularly held more than eight hours a day or 24 hours a week; and youths are not advised of their right to legal assistance when in solitary.

“Time passes more slowly for children, and solitary confinement impacts brain structure, development and long-term function,” the lawsuit says, citing the United Nations’ 1990 rules for incarcerated juveniles and a 2011 report from the UN’s Special Rapporteur on torture, both of which bar the use of solitary confinement for youth.

Last year, the Rikers Island prison complex in New York City – the second-largest prison in the United States – announced it was banning solitary confinement for juvenile inmates.

Sean Fine
Globe and Mail
Nov 04, 2015

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 \$
And profit from inmates

- Ryan Emery

DeLinkQuent

Let us learn from those
Who have failed
Now it's time to excel
No more payin' bail
'Cause we're stayin' outta jail cells
We deserve better than poverty,
Struggle & violence
Too many brothers have died for us
To live in silence
Call me paranoid for
The tears that fall
But somebody is tryin' a
Kill us all
How are we supposed to get by
Work together & make it
If our leaders are getting high
Drunk & inebriated
No more drinking, smoking
Slowly dying inside ...
Instead of dope, give us hope
Instead of prison, give us pride
We're tired of hypocrites
That sing the same ol' song
They keep on telling us what to do
But they keep on doing wrong
Judges sentence us to prison for life
And deny all appeals
While politicians make
International drug deals
We're tired of sitting around
Feeling self-pity
Matter of fact
We're talking back
- April Daniels

Untitled

Silence is a ghost
Hiding in the shadows
Ready to explode unexpectedly
In a matter of time before you know
It comes out creeping when it's ready

- Cody Allen Joseph

Untitled

Loneliness
How'd you get my address?
Did you lie in wait?
Did you have my gate?
Was it by chance?
Did I notice your glance?

- Robert Ulok

Criminal Mind

A criminal mind, it's all I've ever known
Even as a child, now I'm full grown
Drugs & guns and the gangsters with them
That's how I was introduced to the system
Now I'm here to pay for my crime
The only way I can pay is by doin' time
In and out and back again
When will it stop, when will it end?
Drugs, guns & money, the gangster lifestyle
I still wanna be a thug for just a little while
No one can touch me, I think I'm 'all that'
Soon I'm a mouse being chased by a cat
The Po-Po comes when I'm so unaware
When they finally catch me, I don't even care
Back to the place from where I came
My criminal mind turns this into a game
Courts, lawyers, judge and jury
Sentence me NOW, I'm in a big hurry
To once again, start doing time
It only contributes to my criminal mind

- Theresa Pasquino

Action is the antidote to despair.
- Joan Baez

Purpose

*In life you will realize that
There is a purpose for everyone you meet
Some will test you
Some will use you
And some will teach you
But most important are the ones
Who bring out the best in you,
Respect you & accept you
For who you are
Those are the ones
Worth keeping around*

- Allara Custer

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

Untitled

*Yes, I've made mistakes but,
Life didn't come with instructions*

- Bal Bahia

Untitled

*A war rages behind these walls
Feelings & fears that cage us
Enrage us
Wanting to be free
Dying to be me*

- Fallen Angel

As We Sit Here

*We sit here scared & broken
We sit here & can never fly
We sit here afraid & forgotten
We sit here as the world passes us by
We sit here alone
We sit here trying to change fate
We got the short end of the bone
We then realise we're all just bait*

- Tyler Iwaszko

Someone

*There's someone somewhere
Who thinks of you smile
Who finds in your presence
That life is worthwhile
So when you're alone
Remember it's true
There's someone somewhere
Who's thinking of you!
We all have our hard times*

- Kayla Marr

*Life is very short and what we have to do
must be done in the now.*

- Audre Lorde

A Child of an Incarcerated Parent

The Reality

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

The Need

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

The Impact

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

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

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



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.

Class-action suit launched over treatment of mentally ill inmates in federal prisons

The suit, if certified by the court, would pit the Attorney General of Canada against federal inmates diagnosed with mental illness between 1992 and the present.

A proposed class-action lawsuit filed in an Ontario court Friday alleges the federal government fails to provide adequate care to mentally ill prisoners while relying far too heavily on solitary confinement as a way to deal with them.

“Prisoners in federal institutions who suffer serious mental illness are not being given the treatment they are statutorily entitled to,” said lawyer James Sayce, whose firm, Koskie Minsky, is behind the action. “It’s a problem that can’t be ignored anymore.”

The lawsuit, which contains allegations not proven in court, is seeking at least \$600 million in damages and estimates hundreds of mentally ill prisoners could be part of the action if it is certified.

“They are being warehoused and they are being subjected to extended periods of time in solitary confinement because the federal prison system doesn’t know what to do with them,” said Sayce. “The effect is . . . the illnesses get worse, and you have serious pain and emotional stress being suffered by these unwell inmates.”

A statement of claim filed Friday alleges that those tasked with caring for mentally ill inmates in federal prisons have treated them with “contempt, prejudice, indifference and abuse.”

It claims prison staff are unqualified to administer, control, protect and care for mentally ill inmates and instead rely almost exclusively on “force, compliance and behavioural inducement methods.”

It also alleges that extended periods of solitary confinement are used to “contain and manage” mentally ill prisoners.

It alleges the practice amounts to “cruel and unusual punishment” for mentally ill prisoners and claims that the government is failing in its mandate to rehabilitate rather than punish prisoners.

“Federal penitentiaries are becoming Canada’s largest repositories for the mentally ill,” the statement of claim said. “Prisoners diagnosed with serious psychological disorders and illnesses

have suffered severe harm as a result of the defendant’s policies and procedures.”

The statement of claim also alleges mentally ill inmates face interruptions in care when they are admitted to and transferred between institutions, which lead to them being denied medication for an extended period, and are also allegedly denied commonly prescribed psychiatric drugs.

The representative plaintiff in the case, Christopher Brazeau, is a prisoner at an institution in Edmonton. The 34-year-old suffers from post-traumatic stress disorder, generalized anxiety disorder and attention deficit and hyperactivity disorder, said the statement of claim.

He is serving a sentence of 12 years for robbery-related crimes. He has spent 12 consecutive months in solitary confinement, has gone long periods without his necessary medications and has “regularly” been prescribed unsuitable medications, the statement of claim said.

“Mr. Brazeau suffered significant worsening of his mental health problems during his time in solitary confinement, including anxiety, depression, self-harm, suicidal thoughts and visual and auditory hallucinations,” the statement of claim alleged.

“It is likely that Mr. Brazeau’s condition will continue to deteriorate as a result of Canada’s failure to create and implement policies that allow for the provision of proper health care.”

Diana Mehta
The Canadian Press
Jul 17, 2015



Motherhood takes on a different meaning when you visit your 19-year-old son in jail

Before driving the 90 minutes it's taken me to get here, I dreaded the visit. I have been dreading it for months. A friend of mine looked at me with kind eyes before I left. "Enjoy it, have a good time," he said. "You are going to see your son."

I swallow the lump in my throat and decide that, no matter what, I will provide love and compassion to my son today. My job is no longer to kiss away tears, keep him safe, drive him to soccer practice or meet with teachers and chair the PTA. That was the past. Motherhood now is stripped down to the barest of bones.

I have never even walked by a jail, let alone set foot in one. I will spare you how I came to be here, outside the Saint John Regional Correctional Centre, but here I am, set to visit my 19-year-old son, who's been held in remand since March 2 of this year. I don't know what to expect. It feels like a jail should: austere brick building; razor wire over a metal fence; cold, unwelcoming.

I am early. I walk in and sit down on a metal bench. More coldness. Fifteen minutes later, other people arrive for their family visits. There is a very young mother with a baby, accompanied by another young lady; a woman about my age with two school-aged children in tow; and another with downcast eyes and a resigned hunch to her shoulders.

This is my sangha, my community, for today. We are all united in this strange ritual of visiting a loved one in prison. The young mother seems so thrilled and exuberant, she keeps saying to her baby girl – well, happily shouting really – "We're gonna see Daddy and Uncle Billy!!" She seems genuinely pleased about this.

Eventually a buzzer goes off, the heavy door unlocks and a guard takes our IDs and has us sign in. The next room is where the visit is held. We file in. There are four tiny stools and four cubicle-style things, a Plexiglass window, and a phone. For some reason, I had expected a face-to-face visit without a barrier. After a few minutes, moments, I don't know really, the prisoners file in.

He is wearing a grey tracksuit and looks better than I expected. I smile broadly and tell my son that I am just so happy to see him and that I love him. His eyes light up. He tells me that he loves me too. He is smiling and also crying a bit,

wiping tears from his eyes, and I have a few precious moments of seeing my son as I remember him. I guess my friend was right. Deep breath in. Then the look passes. Hardness returns to his eyes, his face, his body language. I want to run away but I don't. Love and compassion are my new job.

The woman beside me is there with her children. The phone between them doesn't work. A piece of paper and pen materialize from somewhere and she writes love notes to her inmate. What is their story? They look at each other with love and longing as the kids wait in the next room. Why can't she be offered another option? I consider handing her my place, but I can't; my son has not had any visits yet.

My son tells me about his life as someone in remand – that is, not found guilty but awaiting trial. Remand is the no man's land of our correctional system. You sleep all day, play poker and chess with a homemade game, he says. There are no books to speak of. He asks me if I can bring books next time. I say yes. There's no counselling, no psychological help or assessment; no programs or anything useful to fill the days.

My son is worried about being there for months on end. Does this happen? Yes. He gets one hour a day in the yard, if he is up, I learn. No fresh air or sun most days. Breathe. Finally our hour is up and I promise to come back as soon as I can.

I ask the guard if I am allowed to mail books. "NO."

Why can't they have any books? I don't feel like I have the right to ask this question.

There is a Telmate machine in the entrance way. You can purchase credits for phone calls or the canteen or small necessities. A sign says I can pay with a credit card or cash. I try my card. The very last screen requires my zip code. I don't have a zip code, I live in Canada. This transaction is impossible. Why is this American machine here? I put in cash, and am asked if I accept the taxes and fees. Out of \$40 cash there is a credit of \$32 and change. This is surreal to me. Is it a special tax for inmates' families?

Last year, my son was in remand for two months before the charges against him were stayed. That summer, I had a phone bill for collect calls from him totalling over \$800. "You had the choice to refuse the call," I was told when I complained to the phone company. I did not realize that this "special rate" existed.

I want to write about my experience, to tell someone, but a voice in my head screams out loud and clear: "NOBODY CARES! Lock 'em up and throw away the key. Shouldn't get nothing." I look at the others leaving. Some have no car, they called a taxi or got a ride with a friend. Deep breath in, and exhale. I look at these people, my community and silently wish them well.

We are now part of the punishment machine.

Lisette Surette

Globe and Mail - Jul 21, 2015

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 for 8 weeks (Genotype 1, low viral load, never-treated)

Harvoni: \$90,000 for 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.

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).

Women in Sask. jail complain of 'mystery meat' from new food provider

Complaint about Pine Grove food similar to concerns raised at Regina jail

A letter purportedly from inmates at a women's correctional facility in Saskatchewan notes complaints about the quality of food including questions about "mystery meat" that some inmates were not able to identify.

The letter, which was not dated, was provided to news media Friday by an advocacy group, the Elizabeth Fry Society, which received the unsigned letter in January.

The food complaints are similar to concerns raised by inmates at the Regina correctional centre, who have repeatedly refused to eat in recent weeks.

"We have been served food that is uncooked, leftovers from days before and mystery meat," the letter from women inmates said.

Pine Grove is a provincial correctional centre for women in Prince Albert, Sask.

"They're writing on behalf of the women who are incarcerated," Sue Delaney, executive director of the society, told CBC News. "Specifically they have complaints [regarding] women with special diets and pregnant women."

The Saskatchewan government hired a private company to provide food services at its correctional facilities, a move aimed at reducing costs.

"We hear complaints on a regular basis," Delaney said. "I would also challenge our government to think twice about the privatisation of prison food because it doesn't always deliver the cost savings that I think politicians seem to expect."

Delaney added that the quality of food in prison also affects the mood of the institution.

"[There is a] real connection between food related problems and institutional unrest," she said. "It really needs to be a core function in our correctional system to have decent food services that can provide skills and training to the inmates."

CBC News
Jan 08, 2016

Loss of farms for prison rehab still smells

Before they were closed, Canada's prison farms supplied federal penitentiaries with nearly \$2 million in produce every year. Milk and eggs were shipped to institutions in Ontario and Quebec at a discount: prisoners feeding prisoners, for half the price. "Paying our way through agriculture" boasted signage outside Kingston's Frontenac Institution, home to about 9,000 chickens and a herd of prize cattle.

When Correctional Service Canada shut down the prison farms, a coalition group attempted to stop them from dismantling the herd. For 18 months they pursued democratic channels, to no avail. Finally they organized a peaceful blockade outside Frontenac Institution. Protesters joined arms and sat in the road for two consecutive days in August 2010. Their struggle is documented in Lenny Epstein's documentary, 'Til the Cows Come Home'.

According to organizer Andrew McCann of Urban Agriculture Kingston, the goal of the blockade was to bring the government to the table. Instead, it brought a massive police response. Twenty-four protesters were arrested for civil disobedience, including an 87-year-old grandmother.

Down but not out, citizens organized the Pen Herd Farm Co-op, which bought 23 cows with the intention of preserving the herd and selling it back to a restored prison farm program.

Each Monday a small, dedicated group still holds a vigil outside the Frontenac and Collins Bay Institutions. After the Conservatives were re-elected in 2011, said Kingston resident Ros Hanes, the vigils nearly wrapped up. "We had a farewell party," she told me. "But at that point, the 24 arrested were still facing charges. We thought, if they're willing to get arrested, we can



do this." Defending the decision, then-minister of public safety Vic Toews said the program was "not cost-effective," claiming less than one per cent of prison farm workers learned skills relevant to a trade.

That didn't make sense to Hanes. "When I first heard about the possible closure, I thought, 'What a dumb thing to do.' Prisoners were learning all sorts of skills, life skills, not necessarily for farming jobs but all sorts of jobs." People on both sides of the prison walls have attested to essential skills in time management, teamwork, conflict resolution and accountability. In the words of former inmate Pat Kincaid, "The barn taught me how to talk to the supervisors, and how to ask for help."

Then-MP Mark Holland, as vice-chair of the standing committee on public safety and national security, called it the best prison program in the country. He cited leading-edge research on the benefits of working with animals. Building on the point, Correctional Investigator of Canada Howard Sapers noted substance abuse and anger management programs in prisons are not required to be profitable; they are an investment in successful rehabilitation and reintegration.

Pressed on the rehabilitative value of prison farms, Toews responded: "The most important thing is public safety... The second priority is the rehabilitation of inmates." But many question how you can have one without the other; if offenders aren't successfully rehabilitated, they're more likely to re-offend after release.

In Canada the recidivism rate hovers around 50 per cent. Unless the plan is to throw away the key on all prisoners, it's just common sense that rehabilitation reduces crime.

The Frontenac farm has been replaced by a laundry facility. Now, instead of birthing calves and overseeing milk and egg production, inmates push buttons, fluff and fold.

Hanes supports the Pen Farm Herd Co-op. The short-term arrangement has now stretched on for five years and grown to about 30 cattle.

"I'm just assuming people will keep going," said Hanes. "It's depressing to think otherwise."

Robin Baranyai
Opinion - London Free Press
Sep 19, 2015

The Prison Book Club

Ian Brown's 2009 memoir, *The Boy in the Moon: A Father's Search for His Disabled Son* – an unvarnished, heartrending account of Brown's efforts to connect with his uncommunicative, seriously disabled child – struck a resounding chord with reviewers, prize juries, and readers. Their unqualified enthusiasm, however, wasn't shared by members of a book club comprising inmates of the Collins Bay Institution, a medium-security correctional facility near Kingston, Ontario. One of the club's leading voices complained that the author was too self-centred. Another member said he knew a family dealing with a similarly difficult situation but without the "upper middle-class advantages" Brown enjoyed. Some participants rendered more favourable judgments, but the general impression was that plenty of people face trying circumstances without complaint or a need to publicly launder their woes.

The judgments on Brown's book and numerous others appear in Ann Walmsley's empathetic and insightful memoir, *The Prison Book Club*, the most recent entry in the growing genre of books about book clubs. Several have become book-club mainstays in themselves, including *Reading Lolita in Tehran*, *The Jane Austen Book Club*, and *The Guernsey Literary and Potato Peel Pie Society* – the last of these devoured, and enjoyed, by the critical inmates at Collins Bay.

The *Prison Book Club* operates on a couple of levels. One is Walmsley's initial reluctance to become involved in the first place. Invited by a friend to volunteer at Collins Bay, Walmsley first must overcome the lingering trauma of having been violently attacked by muggers while living in England. Mostly, though, the narrative deals with the inmates' considered and generally astute responses to a wide variety of books, including Lawrence Hill's *The Book of Negroes*, Roddy Doyle's *The Woman Who Walked into Doors*, Ayan Hirsi Ali's *Infidel*, and Margaret Atwood's *Alias Grace*.

Evidence of the inmates' perceptiveness is abundant throughout Walmsley's book. Club members are intuitively skeptical that all might not be as reported in Three Cups of Tea, mountaineer Greg Mortenson's best-selling account of his humanitarian efforts to build schools in Pakistan and Afghanistan. A collective eyebrow was raised at Collins Bay well before the

veracity of Mortenson's account was assailed by author Jon Krakauer on *60 Minutes*.

Walmsley, whose role is to suggest books, help steer the discussion, and encourage the most committed members to keep journals of their observations, befriends several of the prisoners, two of whom start their own book club after they are transferred from Collins Bay to the Beaver Creek minimum-security facility. It is there that the participants are joined by "one of Canada's best-known white collar criminals," an opinionated, somewhat arrogant contributor disliked by the other prisoners for, among other things, insisting that each book be ranked on a scale of one to 10. Walmsley is careful to protect the anonymity of her subjects, but a quick Google search is sufficient to establish the celebrity felon's identity.

Although Walmsley provides detailed context for each book discussed, familiarity with at least some of the titles lends an additional point of reference. She avoids making blanket claims for the rehabilitative value of prison book clubs, but her account makes a strong case for the humanizing potential of literature.

Vit Wagner

Quill & Quire - Sep 2015





PRISON RADIO

- Montreal - CKUT 90.3 FM
PRS - 2nd Thurs 5-6 pm, 4th Fri 11-Noon
- Guelph - CFRU 93.3 FM
Prison Radio - Thurs 10-11 am
Call-in 519-837-2378
- Vancouver - CO-OP 100.5 FM
Stark Raven - 1st Mon 7-8 pm
- Kingston - CFRC 101.9 FM
CPR - Prison Radio - Wed 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.

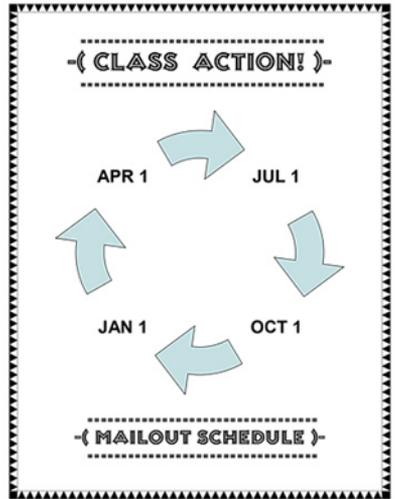
Prisoners and their loved ones are invited to contribute music requests, messages and suggestions for the program.

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

Email: CFRCprisonradio@riseup.net

Call: 1-800-440-5219 to record a message or music request to be broadcast on-air.

Prisoners Justice Day
- August 10 -



↻ Issue #1 - Spring 2016 ↻

Class Action News

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

download & print:
www.ClassActionNews.org

Next Issue: #2 - Summer 2016

Deadline: June 1, 2016

Mail-out: July 1, 2016

If you don't like the news ...

... make some of your own !!!

Whatcha got in there that needs to get out ?

... Hmm ...?

Art, Poems, Stories, News, Whatever !

