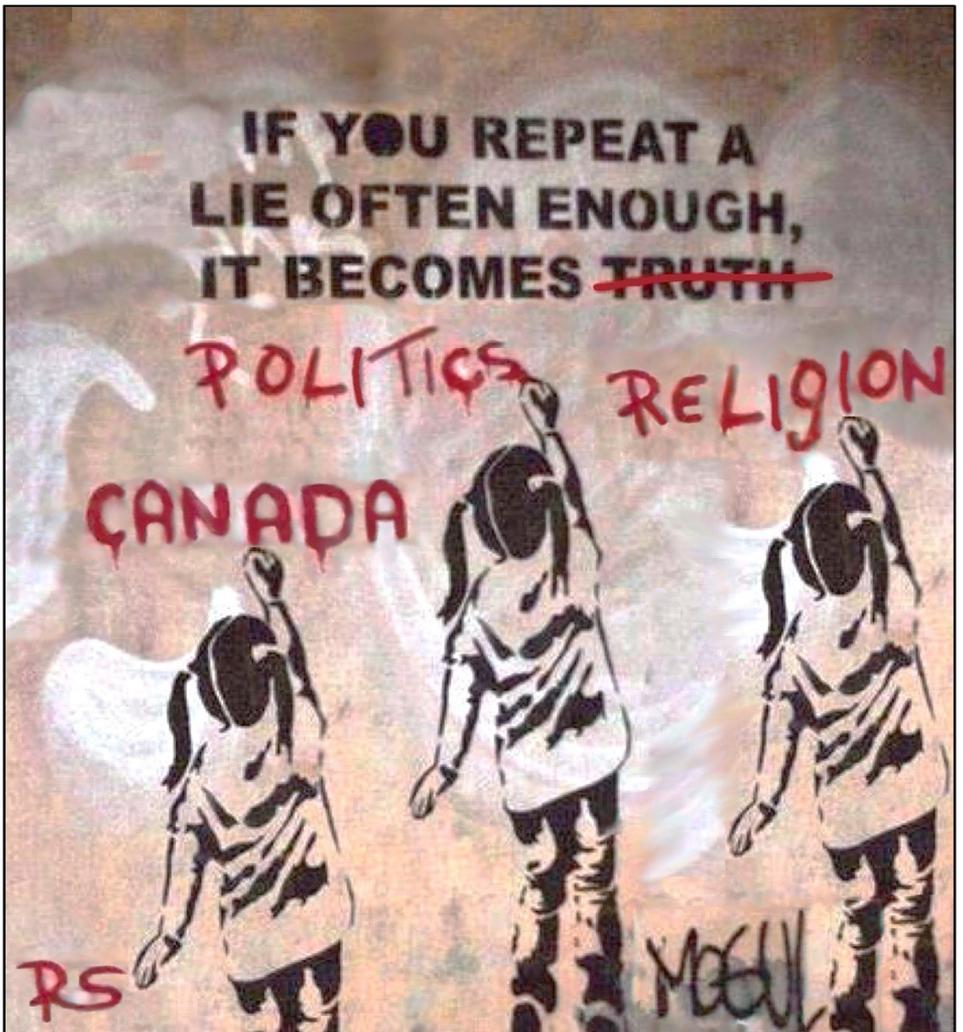


# CLASS ACTION NEWS



- ISSUE # 25 -  
SPRING 2022

< Editor's Note >

It is Spring & Issue #25 of 'Class Action News'. This magazine is by & for the 'Prisoner Class' in 'Settler Canada'.



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

Quality & Quantity:

Items printed are those that are common for diverse readers, so no religious items please. Artwork: Black pen (tat-style) works the best. Cover Artist will receive a \$25 donation. Writings: only short poems, news, stories, ... Items selected are those that fit nicely & allow space for others (1/2 page = 325 words max). For author protection, letters & story credits will all be 'Anonymous' unless requested.

'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 do consider a donation. It really does help to get this inside!

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*Canadian Charter of Rights & Freedoms*

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

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

≈ 'Dish With One Spoon' Treaty ≈

Fighting crime by building more jails is like fighting cancer by building more cemeteries.  
- Paul Kelly

## Prisons - Stay out. Get out.

Nova Scotian social worker Robert Wright was asked by the defence back in 2014 to testify at the sentencing of a 16-year-old Black offender for attempted murder after he shot his 15-year-old cousin in the belly. The prosecutor argued against allowing the testimony, claiming Mr. Wright wasn't qualified as an expert.

Justice Anne Derrick, then of the Nova Scotia Provincial Court allowed him to speak. She cited his qualifications as a past executive director of the province's child and youth strategy, as a PhD candidate in social work and as an instructor at Mount Saint Vincent University.

He is also coincidentally a seventh- or eighth-generation Black Nova Scotian and knew from his life's experience that he was qualified to speak on behalf of the convicted offender. One of six children raised by a single mother, a mostly absent father, witness to domestic violence and alcoholism, a celebrated athlete sister murdered in her mid-20s and a brother who did time for robbery made him 'expert' on the topic he addressed.

What Robert Wright wrote in an assessment and said in court was that the prosecution's depiction of the 16-year-old as a hardened and remorseless criminal, a conclusion supported by several psychological assessments as an unsalvageable youth necessitating a long adult prison sentence, missed one pertinent point: what it means to grow up Black in Nova Scotia. After considering the family history, the "racial trauma" pervasive in the African-Canadian community because of mistrust, rivalries and violence, the judge sentenced him as a youth, noting an adult sentence would most probably give him little chance at rehabilitation.

Mr. Wright's testimony was the first of its kind for Black offenders in the province and it led to more race-based reports, by him and other clinicians, triggering changes in the sentencing of Black offenders. By the summer of 2021, Nova Scotia's top court issued a 5-0 ruling written by that same Justice Derrick, telling judges in the province to consider the race-based issues of Black offenders at sentencing, or risk having their sentences thrown out on appeal.

With federal government funding, what are known now as Impact of Race and Culture Assessments are about to spread across the country. Provincial courts aren't required to give

special consideration to Black offenders, and while accepted as important and helpful, Ontario courts for instance underscore that offenders do exercise free will.

Just as Gladue Reports offer some guidance when determining the fate of indigenous offenders, Impact of Race and Culture Assessments will do much the same for Blacks caught up in the criminal justice system.

Keeping people with a potential for redemption out of the hands of the prison industry benefits us all.

Charles Klassen  
turnoverarocktoday.com  
Mar 13, 2022

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## Justice in Nunavik - A Change in Wind Direction

The justice system in Nunavik is currently reaching a breaking point. On average, 1,400 people are charged with a criminal offense every year out of a population of only 9,000 adults. That rate is 20 times higher than the provincial average. The majority of cases stem from social problems that affect the region, such as lack of housing and substance abuse. But because of the region's isolation and lack of infrastructure, offenders as well as victims, aren't entitled to some of the same legal rights as other Quebecers.

The judicial system is struggling to keep up. The turnover rate among prosecutors working in Nunavik is high. The Amos office, which provides legal services in northern Quebec, has seen 14 attorneys leave since 2019.

Local initiatives are being put in place to change the situation, drawing from cultural traditions based on restorative justice and social harmony. However, fewer than 2% of cases are directed towards these programs.

The Inuit want to regain control of their justice system.

Daniel Leblanc  
CBC Radio  
Feb 24, 2022

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

- Mahatma Gandhi

People are dying behind bars.  
Where's the outcry?

Hundreds have died in provincial jails. Several recent deaths are the latest examples of how Canada's prison system remains deeply dysfunctional.

We still don't know the name of the person who passed away while being detained at the Laval Immigration Holding Centre on Jan. 28, but we do know they were one of several people who have died behind bars over the course of only the past six weeks in Canada.

"We do not have any information about the person who lost their life while in custody of the Canadian Border Services Agency," reads a press release by the Montreal-based migrant justice network Solidarity Across Borders. "All we know is that they were a migrant detained for administrative purposes: i.e. for not having papers. This person should never have been detained in the first place, and now they are gone. No one should ever be detained." (Only British Columbia is currently reviewing the practice of incarcerating immigration detainees in provincial jails.)

A month earlier, 31-year-old Tamara Frances Lucier died while being held at the South West Detention Centre in Windsor, Ont. She was waiting for a bed in a mental health facility. "I went hysterical to hear my daughter was gone when she should have been safe," said her father, Wilfred Lucier, in a media interview.

And on Jan. 26, Jeffrey Ryan, 34, died after a "serious assault" in a prison in Drumheller, Alta. Following the inmate's killing, the John Howard Society called for "urgent action to reduce violence in our federal prisons."

These most recent deaths are only the latest examples of how Canada's prison system remains deeply dysfunctional. As these cases point out, it sometimes fails to provide even a basic standard of care for people who are held for a variety of reasons, including their immigration status or based on charges related to issues of mental health. A 2017 report by Reuters found that 270 people were killed while in provincial jails over the span of five years, two-thirds of whom were legally innocent.

Annu Saini, a former inmate who was held in detention in 2010 for 90 days, has been writing to inmates as part of a coalition called Write

On! Supporting Prisoners Through Correspondence. She told me in an interview that she was traumatized after she was held in solitary confinement.

"If I didn't [have mental health issues], I would after that," said Saini.

A report released last year found that federal prisons continue to breach human rights obligations with the ongoing use of solitary confinement, which in 195 instances constituted "torture or other cruel, inhuman, or degrading treatment." The research also showed that Black prisoners were held in these conditions for longer than other groups of prisoners, and that an inmate's mental health was not taken into significant consideration. Furthermore, nearly 39% of stays involved Indigenous prisoners. A subsequent study found a lack of adequate oversight.

"Many Canadians do not care how our prisoners are treated," wrote academics Jane B. Spratt, Anthony N. Doob and Adelina Iftene, the report's authors. "They are seen simply as people who committed offences. But Canadians should care if they care about human rights; or if they care that a government organization is being allowed to operate outside of the law."

Solitary confinement is also an issue in provincial institutions. Over 12,000 people - 46% who had a mental health alert on their file - were placed in segregation between June 2018 and June 2019, according to a 2020 motion filed by the Ontario Human Rights Commission to end the practice.

"Ultimately, we as a society need to acknowledge the failure of the prison system," wrote Saini in a 2018 commentary. "It is a place that, at best, does nothing to reduce crime and, at worst, is where innocent people go to die."

Where's the justice in this system? Where's the outcry?

Amira Elghawaby  
The Star  
Feb 8, 2022

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*It must surely be a tribute to the resilience of the human spirit that even a small number of those men and women in the hell of the prison system survive it and hold on to their humanity.*  
- Howard Zinn

## Force more likely to be used against Black and Indigenous people in federal prisons

Indigenous and Black people are more likely to be involved in use-of-force incidents in Canadian prisons, the federal prison ombudsman said Thursday.

Correctional investigator Ivan Zinger's annual report found that Black, Indigenous and people of colour were involved in 60% of all use-of-force incidents, but represent just 44% of federal inmates.

The findings were based on data collected from 2015 to 2020.

"Regardless of risk level, security level, age, sentence length or gender, identifying as an Indigenous or Black incarcerated person was associated with a greater likelihood of involvement in a use-of-force incident," Zinger said in a statement Thursday.

White individuals represent 52% of the federal inmate population, but were involved in about 42% of use-of-force incidents, Zinger said.

He called on Correctional Service Canada to develop an action plan to "address the relationship between the use of force and systemic racism against Indigenous and Black individuals."

In a statement Thursday, Public Safety Minister Marco Mendicino said the government is already addressing many of the issues raised in the report.

"Combating systemic racism across government is one of our top priorities, including in the federal correctional system," Mendicino said.

Jacques Gallant  
The Star  
Feb 10, 2022



## How race affects parole

Roughly 40% of white people in their first year of parole eligibility were already serving their sentence in the community.

The Globe's analysis of CSC data – obtained through a freedom of information request and spanning from 2012 to 2018 – found that for many racialized prisoners, those rates are far lower:

32% of Black people were out in the community in their first eligible year, while Indigenous people were out just 21% of the time.

These differences in parole rates are made all the clearer by controlling, as The Globe has done, for the many factors Parole Board members consider during their determinations. Once those have been taken into account, the figures show Black and Indigenous men serving a non-life sentence are clearly less likely to be released in their first eligible year than white men.

Meanwhile, other racialized people, such as those with a Southeast Asian, South Asian, Middle Eastern or Latino background, actually saw better first-year release figures than white people, with 42% in the community in the first year they were eligible. Seven years of CSC data show they tend to receive very favourable reintegration potential scores, and that they federally reoffended almost half as often as their white counterparts. The fact they are less likely to be paroled in their first year of eligibility after controlling for factors such as risk scores and sentence lengths suggests that, if anything, their first-year release rates could be even higher.

Even once prisoners are on conditional release, forms of supervision differ between racialized and white people. CSC data show that in early 2018, half of all white prisoners serving their sentences on the outside were on full parole – much more frequently than Black people (41%) and Indigenous people (29%). Black and Indigenous people in the community instead had higher statutory release rates, meaning they'd been held until the two-thirds mark of their sentence.

Tom Cardoso  
(Excerpt from: No Way Out)  
Globe and Mail  
Feb 22, 2022

Almost half of prisoners held in isolation are Indigenous

Indigenous people make up half of all prisoners subjected to the harshest form of federal detention, an indication that problems persist under the federal government's new model of inmate isolation.

An independent oversight panel formulated the statistic as part of its work reviewing Correctional Service Canada's new prisoner isolation regime, called structured intervention.

The federal Liberals created structured intervention units (SIUs) in November, 2019, calling them a humane replacement for segregation, a prison practice akin to solitary confinement that courts in British Columbia and Ontario had rendered unlawful because it violated constitutional rights. Among the cases was a B.C. Supreme Court finding that segregation discriminated against Indigenous inmates.

The panel found that 48.9% of prisoners in SIUs were Indigenous.

"If the policy intention was to eliminate the evils of segregation, then it doesn't look like that intent has been achieved," said Howard Sapers, chair of the panel, which was created to oversee the implementation of 15 structured intervention units across the country. The report containing the statistic has yet to be made public.

Mr. Sapers said the panel members looked at SIU population data for Aug. 22, 2021. He was struck by the proportion of cells occupied by Indigenous prisoners.

"There is something dramatically out of whack when it comes to the use of structured intervention and Indigenous prisoners," Mr. Sapers said.

In a statement to *The Globe and Mail*, Correctional Service Canada (CSC) spokesperson Marie Pier Lécuyer confirmed the ratio of Indigenous people in structured intervention remains high. As of March 4, 166 prisoners were in structured intervention, 80 of whom were Indigenous, or about 48%.

"CSC will continue to work with Howard Sapers and the implementation advisory panel, other oversight bodies, and Indigenous communities, as we work to support the rehabilitation of Indigenous offenders and ensure they are provided the tools and services they need to

successfully reintegrate the community," the statement reads.

The federal jailer has long held a large proportion of Indigenous prisoners compared with the general population. In the 2016 census, 1.7 million people in Canada identified as Indigenous, accounting for 4.9% of the population. Within the federal penitentiaries, the share jumps to 32%. That's up from 12% in 1999, the year the Supreme Court of Canada's landmark Gladue decision declared that the overrepresentation constituted "a crisis in the Canadian criminal justice system."

The Gladue decision directed judges to consider a person's Indigenous background during sentencing, with the intention of diverting significant numbers away from incarceration. In 2015, the Truth and Reconciliation Commission took a crack at addressing the problem, calling on federal, provincial and territorial governments to commit to eliminating "the overrepresentation of Aboriginal people in custody over the next decade."

When the bill calling for the creation of structured intervention units was before the Public Safety Committee in 2018, Jonathan Rudin, program director for Aboriginal Legal Services, warned that it lacked any consideration of the Gladue decision.

He wasn't shocked to hear of the high proportion of Indigenous prisoners now housed in SIUs.

"I would like to say it's surprising, but it's not, because my experience is that the outcomes for Indigenous people in correctional services are always worse," he said. "When you see numbers like this, it just speaks to the fact that CSC is incapable of addressing humanely and properly the needs of Indigenous offenders."

In 2018, Ottawa allocated \$297.3-million over six years to staff and equip the new isolation units. A prisoner can be transferred to the SIU when they need to be separated from the general prison population for safety reasons.

Under the old segregation model, prisoners were granted two hours a day outside their parking-spot-sized cells. There was no limit on how many consecutive days they could be segregated. Courts in B.C. and Ontario ordered Ottawa to end the practice. Both endorsed a time limit of 15 consecutive days in segregation. The federal government countered with structured intervention, which doubled the

amount of time prisoners could spent outside their cells to four hours, including two hours of meaningful human contact. But it did not institute a 15-day cap on the numbers of days someone could be isolated.

Mr. Sapers said the panel found that 54.7% of prisoners held in SIUs spent more than 15 days there.

A recent report from Correctional Investigator Ivan Zinger concluded that many people refuse to leave SIUs because they tend to be safer than general population units, especially at maximum-security prisons, and offer greater access to health workers and services.

But previous panel studies have found that SIUs rarely live up to that comfy billing. One review of 2020 data concluded that up to 45% of SIU prisoners never received their four-hours outside the cell.

“I’ve heard from a number of guys who said they were really lucky if they got out of their cell for 15 minutes,” said Kim Beaudin, national vice-chief of the Congress of Aboriginal Peoples and member of CSC’s Aboriginal advisory committee.

Criminologists, judges and lawyers describe a complex set of reasons to explain the overrepresentation. Mr. Beaudin prefers a more streamlined interpretation. “It’s all rooted in racism and discrimination, period,” he said. “There’s just no way around it.”

The CSC has developed an anti-racism framework that focuses on creating an inclusive workplace and rethinking tools used to assess prisoners.

For Mr. Rudin, the relentless surge of Indigenous people in CSC’s custody has persuaded him to stop using the word “overrepresentation” to describe the problem.

“It actually makes the problem sound less serious than it is,” he explained. “The term I’m using now is ‘mass incarceration.’ What we have now is the mass incarceration of Indigenous people in Canada. And we don’t seem to be coming to grips with it.”

Patrick White  
Toronto Star  
Mar 10, 2022

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I don't believe in charity.  
I believe in solidarity.  
- Eduardo Galeano

## Respect

So here we go with Respect – not just a word – it’s a lesson

But with all I see now the situation has me stressin’!

It’s supposed to be taught & passed on to the masses

Just simple common sense but some have skipped the classes

And I see how they move but can’t believe that they pass

It’s like school on a Sunday – yeah – No Class!

But recess is over so you best pay attention

And take a moment to read this written intervention

You see – Respect is life’s key, you’ve got to give it to get it

Diss – like your better than me & you may not live to regret it

And it’s not always easy but it’s the right thing to do

Because you demand it from others, so they expect it from you!

And for those who take shortcuts & use the word ‘but’ to excuse this

We’re getting sick & tired of all your fucking excuses!

It’s very easy to justify why it’s okay for you

But then you jump on the next man for not following through

Can you understand the message written down on this page?

It doesn’t matter your status, your size, or your age

We all have to respect everyone on the block

And watch it go around like the arms on a clock

So travel the high road & make it your policy

To always practice this lesson & learn from history

You see, it can’t be situational, or only when it’s convenient

Dis-Respect will cost you, believe me – I’ve seen it

And I’m so damn tired of this hypocritical deal

It’s not just a game, this living chess match is real

So check all your moves, it’s easier said than done

But your actions will speak louder than words

When you Respect Everyone!

- Clayton Clifford

## Prison system moves to ease pain of prisoners addicted to opioids

The federal prison service says it is making several changes to help prisoners addicted to opioids, including getting them faster access to treatment by eliminating a waiting list that is hundreds of people long.

The Correctional Service of Canada says the changes were made in response to the opioid crisis sweeping Canada and to resolve a human rights complaint launched in 2018.

The complaint filed by Prisoners' Legal Services in B.C. claimed they were being denied treatment for their addictions or had to wait months to get therapy.

Nicole Kief, a legal advocate for Prisoners' Legal Services, said the complaint was filed after more than 75 prisoners contacted their office about a lack of access to treatment.

"In the past, (the Correctional Service) has really wanted to have security controls over how the medication is given out," Kief said.

The service initially said its main concern was that prisoners would sell the medication to other inmates, she said.

The settlement agreement was reached last month.

"It's really clear that health-care providers should act in the best interest of their patients and they shouldn't be playing any role in security, punishment or surveillance, so one of the things that this document does is make that distinction," said Kief.

The Correctional Service said in a news release that since the onset of the opioid crisis in 2016, the number of people getting treatment has increased by 185%. In response, it hired Dr. Nader Sharifi, an addictions specialist, to serve as the national medical adviser for the treatment program and agreed to publish wait-list figures to the government website.

Sharifi said the standard of care for an opioid addiction is now focused on putting people in treatment rather than allowing them to detox. The government's goal is to eliminate the wait-list in the next few months, he said in an interview.

The government's latest data shows 2,684 inmates in federal prisons were receiving the treatment as of September 2021, while 351 remained on the wait-list. There are about 12,500 inmates in 43 federal prisons.

Ginette Clarke, director of health policy and programs for the service, said new wait-list data is released quarterly and will be published later this month.

"We try to manage the wait-list. We prioritize and triage, and we try to take lessons learned from sites and places that have been very effective in reducing the wait-list to zero," said Clarke.

The institution with the longest wait-list in September was the Saskatchewan Penitentiary with 79 people, followed by Stony Mountain in Manitoba at 40, while several other prisons had just a few or none on their waiting lists.

The department said it is also in the process of implementing a number of other harm reduction methods, including making naloxone more widely available and implementing more rehabilitation programs.

"The numbers of clients in custody with opioid use disorder has increased," Sharifi said.

"Reflective of what's happening in the community, a significant number of clients within custody do have substance use issues that are prevalent throughout their lifetime, and opioid use disorder is one of them."

Research released last month from Simon Fraser University showed the prevalence of people in B.C. prisons with co-occurring mental health and substance use disorders made up 32 per cent of the population in 2017, up from 15 per cent in 2009.

Sharifi said the 2017 figure is likely higher as overdose rates have continually increased.

Kief said the Prisoners' Legal Service is pleased with the steps the government has made to address addiction in prisons but more needs to be done.

"We're really concerned about the kind of assistance that people get while preparing for their release," Kief said. "They're not getting connected to the resources they need to be safe when they come out, so that's a real concern."

One of its clients overdosed and died soon after leaving prison, said Kief. Her group is calling for a coroner's inquest into the risk and rates of overdoses for those recently released from custody.

Sharifi said it has been well documented that people have a "very high risk for overdose" in the first 30 days after their release, but steps have been taken to address the issue.

"We ensure that clients being released from custody are connected to a health-care and addictions-care provider within the community and have a discharge prescription that is prearranged for them to ensure that there are no gaps in care on release," he said.

Brieanna Charlebois  
National Observer  
Jan 12 2022

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The pardon system perpetuates disadvantage. Ottawa should fix it

If you've ever filled out a job application, you've probably had to answer this question: "Have you ever been convicted of an offence for which you have not received a pardon?"

If you answer "yes," the chance of your even being considered for the position is effectively zero. Few employers will take a chance on someone with a criminal record, even if the record concerns a minor offence from decades ago. And that goes double for many rental buildings, educational institutions, and banks and loan companies.

Despite the devastating impact of a criminal record, Public Safety Canada reports that 3.8 million people - that's about one in nine Canadians, or 11% - must answer that question in the affirmative.

Canada does provide people who have satisfied certain conditions with the opportunity to seek a pardon, or "record suspension" as it's currently called. But the pardon system has long been costly and cumbersome.

Thanks to changes that came into effect on Jan. 1, it's no longer quite so costly, as the pardon application fee has been reduced from \$658 to \$50. But the process remains so cumbersome that a veritable cottage industry of businesses offering assistance with pardon applications - for an additional fee, of course - has sprung up.

Many Canadians have consequently abandoned their efforts to clear their names, severely limiting their employment and educational opportunities. This is particularly worrisome given the abundant evidence that both unemployment and low educational achievement are associated with criminal offending.

According to the John Howard Society, 40% of offenders are unemployed, and the Correctional

Service of Canada says 70% of inmates in federal custody score below the Grade 8 literacy level.

By limiting opportunities for employment and education, the pardon system is therefore not merely perpetuating disadvantage, particularly among racialized groups, it's also perpetuating crime by ensuring offenders remain in situations that increase their chances of reoffending.

Thankfully, there's a solution. Under what is known as a "spent regime," criminal records are automatically sealed a certain amount of time after offenders have completed their sentences, provided they have not committed any further offences. This effectively removes barriers to employment and education while also reducing the administrative costs of the pardon system.

What it doesn't do is eliminate all evidence of the record. The recently formed Fresh Start Coalition, a group of more than 60 civil society organizations promoting a spent regime system, notes that under the regime police are still able to access the record for certain reasons, such as in the conduct of new investigations.

The record could also be unsealed in specific circumstances, for example, to complete a "vulnerable sector background check" - an investigation into the criminal history of a person who has applied for custody of a child or for a licence to care for vulnerable populations. Public safety must be assured in such situations.

Finally, a spent regime need not, indeed should not, include all offences. Some crimes - such as serious sexual offences, particularly violent ones, and those involving life sentences - could be designated as exempt from the regime.

Spent regimes have been successfully implemented in Australia, England and Spain, and Canada already uses a spent regime to seal records of offences by underage youth. And late last year, Sen. Kim Pate introduced a bill (S-212) designed to implement a spent regime for offences committed by adults.

Unfortunately, the federal government has yet to express support for a spent regime system. But if it's interested in saving money, improving the pardon system, and improving many lives, it ought to.

Star Editorial Board  
Jan 10, 2022

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## N.L. inmates, official want oversight of 'kangaroo court' disciplinary hearings

Newfoundland and Labrador's justice minister says his province will soon join the handful of Canadian jurisdictions that provide independent oversight of a disciplinary process for provincial inmates that has been criticized as a "kangaroo court."

The provincial government has been sitting on legislation for over a decade that would rein in disciplinary hearings for inmates. Without the legislation in force, senior prison staff are determining inmates' guilt and handing out sentences that can involve solitary confinement or time docked from early release.

But after recent questioning from The Canadian Press, Liberal Justice Minister John Hogan said his office will bring the new rules into force this year.

"The fact that this has been around for 11 years is something that now has certainly been brought to my attention, and my department's working on getting this done as soon as possible," Hogan said in an interview.

Nova Scotia, Manitoba and Northwest Territories require such hearings to be judged by an independent or outside observer who doesn't work alongside the officers who laid the charges, according to government spokespeople. Alberta and British Columbia introduced similar systems following court challenges.

Using access to information legislation, The Canadian Press requested records given to Newfoundland and Labrador inmates accused of breaking jail rules for the month of February 2020, before the pandemic changed prisoner counts and internal dynamics.

The documents show that under the internal system, which is separate from the criminal courts, captains and lieutenants in the corrections service run the hearings and hand out sentences ranging from confinement to cell to a maximum of 10 days in solitary confinement. Loss of privileges, such as outdoor recreation, is a common punishment.

Inmates can also be docked up to 60 days from their earned remission, which is time off their sentences earned for good behaviour.

In some cases, the documents show the same lieutenant chairing a hearing for one inmate and providing witness testimony against an inmate at another.

Violence and drug-related offences get the harshest sentences, normally up to 10 days in segregation and 20 days of lost privileges. At least twice, it was also recommended that inmates lose seven days of earned remission, but in the end the recommendation was not part of their sentences.

Inmates can shorten a 10-day stay in segregation by up to three days with good behaviour.

In one case, a man at Her Majesty's Penitentiary in St. John's was sentenced to 20 days of lost privileges and 10 days in segregation for having a pill in his cell. "Blames being cut off ... cold turkey and staff not calling the nurse to order him medication as the reason for him hoarding meds," the jail documents say.

There are records for 64 charges and hearings in February 2020 at Her Majesty's Penitentiary in St. John's, N.L., alone. Ten of those charges were dismissed or resulted in a verdict of not guilty, often because of technicalities such as an incorrect date on the paperwork. The remainder - 84% of cases - led to inmates being found guilty.

A subsequent request for information showed there were 254 hearings held across provincial jails in September, October and November of 2021. Of those, 213 - also 84% - resulted in a guilty verdict.

There were no lawyers present at any of the hearings, though inmates can file an appeal. In the 254 hearings held in the fall of 2021, five appeals were launched. One was successful.

The Canadian Press spoke with several inmates and guards who said there is often a direct working relationship between the person who lays the charge and the person who judges it. The inmates, who requested anonymity for fear of repercussions, called the hearing process a "kangaroo court."

Bradley Moss, the province's citizens' representative, said his office received 42 complaints from inmates alleging unfair institutional charges in the past two years. "I do not believe the present disciplinary hearing setup is appropriate," Moss said in a recent email. He said the independent system provided for in legislation is "superior, especially for internal charges on the serious end of the scale."

He said his office has "made this position known" to the provincial Justice Department on several occasions.

Rules enshrined in the province's Correctional Services Act would introduce independent oversight of these hearings, among other changes to the corrections system. But the bill never came into force after being given royal assent in 2011. Amendments were made in 2019, and the Liberal government of the day promised the rules would come into force that year.

Hogan said he doesn't know why that never happened, adding that he's only been in government for about a year. The reforms would require the appointment of adjudicators from outside the correctional system. Hogan said that means there are issues of cost and logistics to be worked out.

Nonetheless, he said he wants the Correctional Services Act to come into force some time this year. Inmates, he said, "have just as much entitlement to due process in that situation as any other worker would ... or any other individual before any court system or dispute resolution process."

Sarah Smellie  
The Canadian Press  
Mar 8, 2022

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### You See, I See

You see heroin, I see low self-esteem.  
You see cocaine, I see fear.  
You see alcohol, I see social anxiety.  
You see track marks, I see depression.  
You see a junkie, I see someone's son.  
You see a prostitute, I see someone's daughter caught in addiction.  
You see self-centeredness, I see the disease.  
You see a pill head, I see over-prescribing of opiates.  
You see someone unwilling to change. I see someone hasn't connected with them yet.  
You see denial, I see someone hurting.  
You see someone nodding out, I see God showing us they need help.  
You see the end, I see the beginning.  
You see a dope fiend, I see a future success story.  
You see them, I see me.

- Kevin Alter  
(By Request)

### A Panther's Tale

As daylight breaks, the horses gallop, smelling primal fears  
A white stallion raises up, the black stallion snorts & rears  
Clashing hooves, wild neighs, charging into fight  
Primal instinct drives their anger, whether wrong or right  
It's ignorance in battle, in death their colour holds no meaning  
So the black panther, wizened with age, watched on without seeing  
For he knows his destiny will deliver as foretold  
These foolish colts will die this day, never seeing him go old  
Dominance is not dictated by violence, or its ways  
A soldier who fights, only to defend, will live to see more days  
But those who choose to battle for the glory of senseless death  
Will learn the lesson only taught in a dying one's last breath  
For wisdom will win through, in all of nature's tests of time  
These stallions raced down life's mountain, while the panthers chose to climb!

- Clayton Clifford



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

## Facts about HIV and HCV

*With some exceptions, HIV and HCV infection is generally more prevalent among women than men in prison, particularly among those who have a history of injection drug use.*

*In a study of provincial prisons in Quebec, the HIV and HCV rate among incarcerated women was, respectively, 8.8 and 29.2 percent, compared to 2.4 and 16.6 percent among male prisoners.*

*In a study of female prisoners in British Columbia (B.C.), self-reported rates of HIV and HCV were 8 percent and 52 percent, respectively.*

*In a 2007 nationwide survey by CSC, the HIV and HCV rate among federally incarcerated women was 5.5 and 30.3 percent, compared to 4.5 and 30.8 percent among federally incarcerated men. Aboriginal women reported the highest rates of HIV and HCV, at 11.7 and 49.1 percent, respectively.*

*While the majority of women in prison are voluntarily tested for both HIV and HCV, the provision of pre- and post-test counselling has been reported to be poor, and in some cases, non-existent.*

*Women in prison are more likely than women in the general population to have faced violence and abuse; therefore, counselling accompanying HIV diagnosis is particularly important. Women in prison have concerns about the privacy and confidentiality of their HIV status.*

*Women have reported being forced to draw unwanted attention. Women (37.0%) reported being HCV-positive. Aboriginal women were identified as a particularly high-risk group because they reported the highest rates of HIV (11.7%) and HCV infections (49.1%).*

*These data highlight the need to ensure that culturally appropriate, effective interventions that decrease risk-behaviours and increase utilization of harm-reduction measures are offered to meet the needs of Aboriginal women.*

## Important Hep C Update!

New treatments with excellent success rates are now available!

*These are in pill form and have little or no side effects. The downside is the cost of course: \$1000+ per pill.*

Vosevi is a combination of sofosbuvir, velpatasvir and voxilaprevir. These three drugs are combined into one tablet. It is taken once a day with food for 12 weeks.

Federal Prisoners: *Great news, now you can start your treatment while inside!*

Provincial/Territorial Prisoners: *Only BC & ON provide treatment. Elsewhere, you will have to wait till you get out.*

- When released, get right on welfare or disability.
- Federal health care programs like NIHB & IFH may cover costs.
- Go to a Clinic and get your blood test done so you can get into a Treatment Program at no cost to you.

There are 2,700 with chronic hep C in Federal prisons.

There are 4,380 with chronic hep C in Prov/Terr prisons.

All Federal prisoners with hep C are now eligible for treatment.

BC & ON Prov prisoners with hep C are now eligible for treatment.

HEP C = 18-30% in prison  
HIV = 1-5% in prison

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

**BLEACH DOES NOT KILL HEP C**

**Toll-Free Support Line for SK Prisoners**

*For prisoners in Provincial jails & Federal prisons in Saskatchewan.*

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

☎ 1-866-949-0074 ☎

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

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

☎ 613-567-JAIL (5245) ☎

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

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

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

☎ 416-307-2273 ☎

**Why a Jail Hotline?**

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

**Who Should Call This Hotline?**

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

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

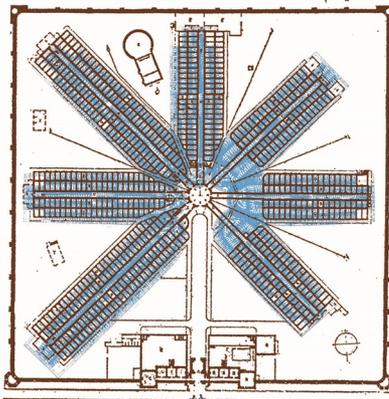
TorontoPrisonersRightsProject@gmail.com

**NEW! Jail Hotline for EMDC**

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

☎ 519-642-9289 ☎

# PRISONS



# SLAVE SHIPS



# ON DRY LAND

*Almost all the anti-social behaviour which makes us think it's necessary to have armies, police, prisons and governments to control our lives, is actually caused by the system inequalities and injustice those armies, police, prisons and governments make possible.*

- David Graeber

### Penpal Program for Gay, Queer, Trans Prisoners

*The Prisoner Correspondence Project runs a penpal program for gay, lesbian, bisexual, transsexual, transgender, and queer prisoners in Canada, pairing them up with gay and queer and trans people outside of prison for friendship and support. We also coordinate a resource library of information and resources related to health, sexuality, and prisons - get in touch with us for a list of resources we have, or for details.*

*If you want to be paired up with a penpal, please send a short description of yourself & interests to:*

Prisoner Correspondence Project  
c/o QPIRG Concordia  
1455 de Maisonneuve W.  
Montreal, QC, H3G 1M8

*Please indicate French or in English. Veuillez svp nous indiquer anglais ou en français.*



### Nov 20 is Transgender Day of Remembrance

*Transgender Day of Remembrance (TDoR), is an international event commemorating people killed due to anti-trans violence. In the last year, 369 trans or non-binary people have been killed globally.*

*And it's a Canadian problem too: 74% of trans youth in Canada have been harassed at school, and 37% have experienced physical violence.*

☞ Respect ☞

### Incarcerated in Canada? Need Information?

*Write On! is an all-volunteer group whose goal is to support prisoners in Canada by researching the information you need, such as:*

*General legal info, prison rules & policies, resources, programs, services, etc.*

*Write to us at:*

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

### Prison Visiting Rideshare Project

*The Prison Rideshare is an ongoing project of Bar None to connect people with rides to visit their friends and loved ones who are in prison in Manitoba.*

*If you or someone you know is interested in getting a ride to visit one of southern Manitoba's prisons, if you are interested in volunteering, or for more info contact: barnone.wpg@gmail.com*

*Rides can also be arranged by phone or text message: 204-599-8869 (It's ideal to request a ride at least 5-7 days in advance).*

### PRISONERS JUSTICE DAY

☞ In Remembrance ☞

- August 10 -

There are more than 200 Unnatural  
Prisoner Deaths in Canada.

- Each and Every Year -

*We maintain a PJD 'In Remembrance' page on our website for Prisoners who have died in Federal and Provincial Prisons, Remands, Lock-ups and Parole in Canada.*

*If you wish to have someone remembered there, send us a note or email and we will honour your request.*

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

## A Child of an Incarcerated Parent

### The Reality

- Every year over 150,000 adults are remanded into custody which results in approximately 180,000 innocent children who suffer from the traumatic effect of parental incarceration in Canada
- Over 5000 children are impacted by parental imprisonment in the GTA
- The number of children affected by parental incarceration only increases with the passing of the Crime Bill C-10

### The Need

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

### The Impact

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

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

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

[www.kipcanada.org](http://www.kipcanada.org) ~ 416-505-5333



### K.I.P. Canada - Family Visitation

Kids with Incarcerated Parents (K.I.P.) was founded in 2011 to support the needs of the over 15,000 children in the Greater Toronto Area that have a parent in the criminal justice system.

K.I.P.'s Family Visitation Program provides weekend transportation from Toronto to correctional facilities in Southern Ontario for children and families to visit imprisoned loved ones.

During our trips, K.I.P. provides free snacks and refreshments, offers a variety of games and activities, and plays movies.

Our bus is a place where youth and families have a chance to talk about their experiences of having a loved one inside and receive support from mentors and other riders.

Our Family Visitation Program is free for anyone 18 years old and younger. If you are interested in participating in our program, please call or email K.I.P. to register today.

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

[info.kipcanada@gmail.com](mailto:info.kipcanada@gmail.com)

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*  
*PRS - 2nd Thurs 5-6 pm & 4th Fri 11-noon*
- Vancouver - CFRO 100.5 FM  
*Stark Raven - 1st Mon 7-8 pm*

*CPR: This program features content produced by CFRC volunteers and by other campus and community radio broadcasters, including CKUT Montreal's Prison Radio & Vancouver Co-op Radio's Stark Raven programs.*

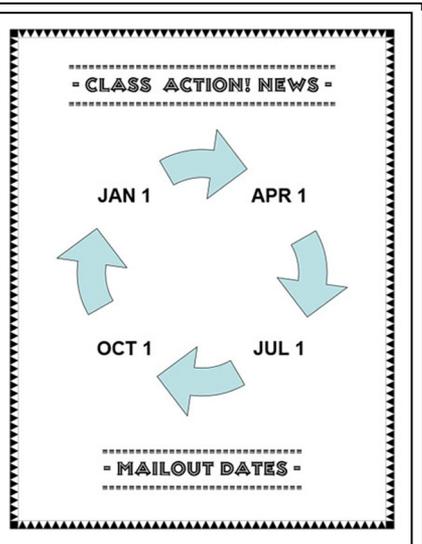
*The last Wednesday of each month, CPR features 'Calls From Home', sharing letters, emails, voice messages and music requests by and for prisoners and their loved ones.*

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

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

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

☞ Prisoners Justice Day is Aug 10 ☞



☞ Issue #25 - Spring 2022 ☞

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

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

**Next Issue: #26 - Summer 2022**  
*Deadline: Jun 1, 2022*  
*Mail-out: Jul 1, 2022*

If you don't like the news ...

... make some of your own !!!

*Whatcha got in there that needs gettin' out?*

... Hmm ... ?

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

