



## WHAT IS PRISON JUSTICE DAY?

National Prison Justice Day started on August 10, 1976, to pay tribute to two prisoners who died in solitary confinement at Millhaven Maximum Security Prison in Ontario. What started as a one-time event has grown to an international day of recognition for all the men and women who have died unnatural deaths while in prison.

On this day, prisoners go on a one-day work stoppage and hunger strike, while outside supporters organize public education events to draw attention to conditions inside prison.

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**In a one-year period, 2008/09, 165 prisoners died while under the supervision of Canada's criminal justice system.**

*Statistics Canada*

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Prisoner deaths through suicide, murder and neglect can and must be prevented!

Prison homicide and suicide rates, when combined, are calculated to be nearly eight times the rates found in the population as a whole. For 2004/05, that translates into a rate of 108 deaths by suicide/or homicide per 100,000 prisoners.

## Deaths In Custody Report

*commissioned by the Office of the Correctional Investigator (OCI)*

Concerned over the high number of deaths and self inflicted injuries in federal prisons the OCI investigated all reported deaths occurring between 2001 – 2005, due to factors other than natural causes. They found that some deaths of prisoners could have been averted through improved risk assessments, more vigorous preventative measures, and more competent and timely responses by Correctional Services Canada (CSC).

“The findings are disturbing and indicate that the Correctional Service has not rigorously fulfilled its mandate to keep all inmates safe and act on recommendations related to inmate deaths,” said the Correctional Investigator, Howard Sapers. The report found the Correctional Service has failed to incorporate lessons learned and implement corrective action over time and across regions, with the same errors and observations being made incident after incident. The study found the CSC resists or fails to reasonably act on a large proportion of Coroners and Medical Examiners findings and recommendations.

The study investigated 82 suicides, homicides and accidental deaths. Over 60% of these deaths were suicides, the remainder were almost equally split between homicides and accidents. All but one of the prisoners was male and three of every ten were under the age of 30. More than one fifth of the prisoners were Aboriginal. Almost a third of the prisoners were serving a life sentence and over one half were already past their full parole eligibility date at the time of their death.

Prisoners who had been involuntarily transferred seemed to be especially at risk. One-fifth of them had spent less than 30 days at the prison where their death occurred. There were other cases in which an impending transfer, the denial of parole,

an unsuccessful appeal, or the loss of a significant other played a role.

There are indications that some of these fatalities might have been prevented. Some Board of Investigation (BOI) reports suggest that the outcome of several cases may have been different had institutional staff discharged their duties as required. In some cases, staff failed to comply at a number of levels. There were serious errors made in assessing the suicide risk of several prisoners and gross errors on the part of medical staff in responding to emergencies. First responders (often guards) did not know what was expected of them and frequently failed to administer first aid. Emergency medical resources were often unavailable at the prison, especially at night.

“Although the CSC says it takes corrective action to ensure similar situations do not occur again, the same problems are repeatedly occurring, resulting in the tragic loss of human life,” said Sapers. “In order to reduce the number of fatalities, a timely and systemic follow-up on corrective action is required to ensure preventive measures are implemented,” he added.

*The Correctional Investigator is mandated by an Act of Parliament to be an Independent Ombudsman for federal prisoners. This work includes ensuring that systemic areas of concern are identified and addressed. The Deaths in Custody Study, as well as the latest Annual Report can be found at [www.oci-bec.gc.ca](http://www.oci-bec.gc.ca)*

### **SOLITARY CONFINEMENT**

s31(3) of the Corrections and Conditional Release Act states that administrative segregation is to be used only when there is no other reasonable alternative. But at any one time, 5.5% of the Canadian Prison population is in solitary confinement. In 1998, the Solicitor General found that 15.7% of segregated men and 60% of segregated women were of First Nations origins. In the last three years the number of prisoners spending more than 90 days in segregation has doubled.

### **DOUBLE BUNKING**

is one of the most serious problems in prison, especially in segregation cells, where the prisoners are locked in their cells 23 hours a day. Segregation is hell at the best of times; this is compounded by having two people in a cell designed for one. Some prisons are regularly triple bunked.

### **INVOLUNTARY TRANSFERS**

constitute one of the largest complaints to the Federal Correctional Investigator's Office. In many cases, the prisoner is transferred not only from one prison to another, but from medium to maximum security in absence of formal disciplinary charges or hearings.

### **HEALTH CARE**

The number of prisoners with mental health needs has doubled in the last decade. Although mental health is now listed as a priority for CSC there have been no significant changes at the institutional level in the past year. In fact, we have witnessed the reduction in some mental health services that had previously existed. Prisoners with mental health issues continue to be segregated and punished for displaying symptoms of their illnesses. They are not being treated adequately according to "professionally accepted standards".

### **Canada's Crime Rate: 25 year low**

The national crime rate continues to decline. Overall, the crime rate has decreased 30% since it's peak in 1991. There was a decrease in non-violent felonies and a 10% drop in the homicide rate in 2006. The youth crime rate increased for the first time in three years, due largely to increases in "mischief and disturbing the peace".

Despite this continuing decrease in crime prisoner populations continue to grow. Canada has one of the world's highest rates of incarceration and the longest sentences, for both adults and youth. A former Commissioner of Corrections, Donald Yeomans, stated that 40% of prisoners do not need to be in custody; prison activists put this figure at 85%.

### **BUILD COMMUNITIES, NOT PRISONS**

Funds used to build and maintain prisons can be reallocated to other non-custodial solutions such as:

- Alternative measures programs
- Early intervention with youth at risk
- Ex-prisoner, peer-assisted initiatives
- Community-based reintegration programs, housing and employment
- Skills-building and empowerment programs
- Long-term violence prevention programs
- Victim assistance programs
- Community Mediation and Restorative Justice initiatives
- Decriminalization of victimless crimes

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**REINSTATE THE MOTHER & CHILD PROGRAM AT ACCW**  
**STOP THE CLOSURE OF THE PRISON FARMS**  
**STOP THE BUILDING OF SUPERJAILS**  
**CALL FOR A MORATORIUM ON FEDERAL PUNISHMENT LEGISLATION**

Prison Justice Day



August 10th 2010

**ABOLISH**  
**>SOLITARY CONFINEMENT**  
**>DOUBLE BUNKING**  
**>INVOLUNTARY TRANSFERS**  
**ABOLISH PRISONS**