

Ontario's Regressive Approach to Prisons

The Negative Impact of Superjails on Women and Their Children

BY RANA HAQ

L'auteure déclare que les programmes communautaires centrés sur les femmes apportent les vraies solutions aux femmes en conflit avec la loi.

The infamous Prison for Women (P4W) in Kingston, Ontario, has long been the only federal penitentiary for women in Canada. All women receiving a federal sentence, two years or more, were sent to P4W to complete their incarceration period, regardless of where their home community was or where the offense occurred. Removed from their children, their family, and their community networks, women paid dearly in terms of personal, emotional, and human costs during their incarceration and suffered significant loss in pre-release planning and reintegration opportunities upon their eventual release.

In 1990, the Task Force on Federally Sentenced Women in its report *Creating Choices*, recognized the undue hardship of such separation, and recommended the creation of five new regional facilities for federally sentenced women across Canada, as well as an Aboriginal Healing Lodge. This report, with its extensive consultations with federally sentenced women on their needs, set out the guiding principle as:

The Correctional Service of Canada, with the support of the communities, has the responsibility to create the environment that empowers federally sentenced women to make meaningful and responsible choices in order that they may live with dignity and respect. (132)

The five new regional institutions for women are: Truro, Nova Scotia; Joliette, Quebec; Kitchener-Waterloo, Ontario; Edmonton, Alberta; and the Aboriginal Healing Lodge in Maple Creek, Saskatchewan. Women from British Columbia are held in the Burnaby Correctional Centre for Women, under an Exchange of Services Agreement between Correctional Service of Canada and British Columbia. These institutions are effectively bringing women closer to their communities and families to maintain that critical connection which has been identified by the prisoners as being the most significant factor in successful reintegration, rehabilitation, and reducing recidivism.

The environment created in these new regional centres is consciously designed to replicate the community. The women live in cottages accommodating eight women per house, work in school or core programs, and are responsible for doing the daily chores such as budgeting, purchasing the groceries, cooking daily meals for the household, and eating together at the dining table, cleaning and maintaining their house, as well as socially interacting with others within this special "community." This environment is conducive to promoting and reinforcing "basic daily living skills."

Ontario has its own extensive research and consultation with provincially sentenced women as documented in the 1995 Women's Issues Task Force Report, *Women's Voices, Women's Choices*. Like the federal report, it was also based on conversations with incarcerated women, their experiences in various correctional

institutions in Ontario, and their ideas with respect to solutions for appropriate reforms and future directions in designing a better system. But, unlike the federal system, the provincial government, apparently, has not been keen to implement the recommendations of this report. We remain far from the vision created in this document and seem to be moving even farther away as a result of the looming "superjail" scenario.

The current provincial government, it seems, has its own agenda for the province of Ontario. The Ministry of the Solicitor General and Correctional Services (MSGCS) has announced the closure of 14 provincial jails in Ontario, over the next two years, and the opening of five "superjails." While many of the existing jails are unfit for human habitation, they at least allow women serving short sentences to be housed close to their home, family, and community where it is possible to maintain and rebuild relationships.

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Sadly, Vanier Correctional Centre for Women in Brampton, one of the most successful and reputable institutions for women in the province, and the only one based on a woman-centred approach, is also among those institutions set for closure. The sites identified under Phase 1, are for southern Ontario, namely: retrofitting the existing Metro West Detention Centre in Etobicoke and the Metro East Detention Centre in Scarborough, and new construction in Maplehurst Correctional Centre in Milton, Lindsay, and Penetanguishene. These provincial superjails propose to be as "spartan" as possible with minimal institutional and community programs.

Ironically, while the federal government is moving away from the ineffective, inhumane, and destructive centralized P4W model for women and their children, our province, for reasons based on the government's "tough on crime" platform, has decided to move in that very direction. In addition, there seem to be plans to privatize one of these superjails to prove the entrepreneurial potential of producing mega-profits from mega-prisons.

It costs the taxpayers, on average, \$124 a day to incarcerate one woman in a provincial correctional institution. These dollars, invested in community-based programs costing around \$5 to \$20 a day, would support approximately 6 to 24 women in the community (MSGCS).

Most people seem to forget that women who are sentenced to a period of incarceration are eventually released into the community within a very short period of time. This is all the more true for the provincial system where the longest sentence is two years less a day and the average sentence is only 56 days or under two months (Women's Issues Task Force). The women receive practically no rehabilitative programs within the institution during this period. Their children suffer as their primary caregiver is removed from the home often resulting in their

wardship with the Children's Aid Society, a grandparent, or other relative. It is long enough to disrupt their lives and future due to the stigma and social backlash from peers at school. With the enormous costs associated with the construction of new institutions, investing a fraction of that into building a community-based women-centred program infrastructure to facilitate appropriate interventions would provide a far greater return on investment in the long term through effective crime prevention and reductions in recidivism, for the women as well as their children, benefitting the entire community.

Women have been expressing fear and concern over the negative impact superjails will have on them and their families. Firstly, women will no longer be held close to their communities. The additional costs involved in travelling greater distances for families to get to these prisons will result in fewer visits. Reduced interaction with their children will result in further alienation and more difficult rebuilding of the familial bonds. The children of incarcerated women are up to five times more at risk of coming in conflict with the law (Kinsey). Secondly, women will have reduced access to legal representation and lack of appropriate referrals in these remote communities. Thirdly, women will be cut off from their support systems and further burdened with personally paying for long-distance phone call charges for every attempt to contact their family or community resources. Fourthly, and most important, women will be isolated in a predominantly male environment with limited access within the institution to programs and services, resulting in a harsher penalty than intended by the lawful sentence and undoubtedly regressing them in their personal development and treatment efforts.

Madam Justice Louise Arbour, in her *Report on Certain Incidents at the Prison For Women* in April 1994, ruled that the transfer of some women

to the Regional Treatment Centre (RTC) within the grounds of the Kingston Penitentiary was illegal. The issue concerned women being incarcerated in men's prisons under conditions amounting to segregation. Women have voiced their fears and concerns about the lack of a healing environment and the triggering of painful memories for those numerous women with histories of sexual abuse.

Because there are so few women in the system, their limited access to institutional privileges will essentially result in conditions similar to a prison within a prison. The superjails will be exactly that, a prison for women within a larger prison for men. The designs show one designated "pod" for women holding 35 beds among several "pods" with 1,200 beds for men. Small designated spaces for the forgotten women within a largely male-dominated institution will continue to marginalize their needs. What makes it even worse, is the high-tech security and monitoring equipment which will minimize and practically eliminate the human supervision, support, and contact which women say is indispensable to their healing process.

What is painfully overlooked in this model are women's social needs. Self-injurious behaviour is common among women in prisons, especially during times of high stress. Most women who slash or self-injure have histories of childhood sexual abuse. Often, when a woman slashes, she is put into segregation, where she is isolated from other women and staff for up to twenty-three-and-a-half hours a day. Furthermore, those who are suicidal are usually stripped and placed in bare cells under surveillance. Their family visits and other privileges are also cancelled. Their cry for help and support only generates a correctional response which is severe and punitive. Cross-gender staffing also makes matters worse for the women prisoners.

Women are not a threat to society. The typical profile of a woman in

conflict with the law reflects her basic socio-economic disadvantages. The criminalization of the poor, uneducated, unemployed, unskilled, often single mothers with young dependent children, a history of early and long-term physical and sexual abuse, and consequent substance abuse problems results in her coming into conflict with the criminal justice system (Shaw). Once in this unforgiving system her experience is further victimization, intimidation, and loss of control over her life resulting in a dependence on the system, repeated recidivism, and the revolving door to the prison.

The criminalization of women with mental health and capacity challenges is another issue facing women in the criminal justice system, especially now with the severe cuts to the mental health system and closing of several psychiatric hospitals in Ontario. These women are becoming criminalized for their behaviours which stem from psychiatric problems rather than criminal ones.

The Council of Elizabeth Fry Societies of Ontario (CEFSO) promotes the fair and equitable treatment of women in conflict with the law by advocating for penal reform, appropriate community-based alternatives to incarceration and woman-oriented programs and treatment models for effective rehabilitation addressing the unique needs of women.

There are currently nine Elizabeth Fry Societies across Ontario located in Hamilton, Kingston, Kitchener-Waterloo, Ottawa, Peel and Halton, Peterborough, Simcoe, Sudbury, and Toronto. They provide programs and services from court support, jail visitation, release planning, supportive counselling, recreation, community service orders, fraud and crime prevention programs, community parole supervision, and halfway house beds and housing services. All agencies have staff and volunteers visiting provincial and/or federal correctional institutions to provide programs to the women.

The Council of Elizabeth Fry So-

cieties of Ontario, in partnership with the member agencies, has been active in monitoring the conditions for women in provincial jails. Two years ago, we launched the "Provincial Report Card" as a tool for documenting and reporting existing conditions by means of an interview questionnaire surveying the women prisoners in the 21 provincial jails across Ontario. This has been a very effective way of involving the women in the discussions and including their day-to-day reality in holding the Ministry of the Solicitor General and Correctional Services responsible for meeting their mandate within the framework of their mission and policy statements.

We have been appalled at the inhumane and undignified conditions for women provincially, including extremely cramped cell areas and overfull dorms often with overweight women and pregnant women sleeping on floor mattresses; lack of fresh fruits and appropriate diet for pregnant women; no windows or natural light in cell areas; a total lack of programs resulting in women spending twenty-three-and-a-half hours sitting around with nothing to occupy their time; infrequent access to yard-time mostly worked around the men's schedule; lack of access to showers and exercise; provision of previously-used and soiled underwear causing frequent yeast infections; no provision of appropriate feminine pads or tampons or brassiers; inappropriate jumpsuits similar to those worn by men where a woman has to undress completely in order to use the toilet and with no privacy barriers to the toilets, it is a cruel infringement on their basic rights, their dignity, and respect (Council of Elizabeth Fry Societies).

Through the Women's Issues Task Force Implementation Committee and our Report Card, we have strongly advocated for reforms in women's imprisonment conditions in the province of Ontario. The Council of Elizabeth Fry Societies of Ontario continues to advocate against

the superjails and for community-based women-centred programs and support networks. There remains much more to be done. The new millennium requires new approaches.

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