



Canadian Association of Elizabeth Fry Societies™
Association canadienne des sociétés Elizabeth Fry
701-151 Slater Street, Ottawa, Ontario K1P5H3
Telephone : (613) 238-2422
Facsimile : (613) 232-7130
e-mail : caefs@web.ca
Home Page : www.elizabethfry.ca

Canadian Association of Elizabeth Fry Societies

Annual General Meeting – 2011

President's Report

It is with regret that I have decided not to renew my mandate with CAEFS. I know that CAEFS will be in good hands with our incoming President, and I look forward to assuming the supporting role of Past President.

This year has been another busy one with a number of legal actions arising, including:

- Continuing our pursuit of our access to Ashley Smith's correctional files, as well as preparation for the Inquest into her death;
- Complaint to the Canadian Human Rights Commission regarding CSC's Management Protocol Regime and overall classification process, especially for Indigenous women and women with mental health issues;
- Complaint to the Canadian Human Rights Commission regarding CSC's discriminatory treatment of Indigenous women vis-à-vis their access to relevant and appropriate religious/cultural services and programs;
- Continuing the legal challenge and human rights complaint regarding the transfer of a young woman from the youth system into the federal penitentiary system, less than one month after the death of Ashley Smith;
- Providing expert testimony during sentencing procedures, including challenging the discriminatory lack of access of women in remote and rural communities to

intermittent and other sentencing options, as a result of limited access to provincial places of detention;

- Assessing cases for potential conviction reviews;
- Assisting defence counsel to challenge the charging and prosecuting of women who use lethal force to defend themselves and/or their children;
- Presenting evidence to counter the regressive law and order agenda outlined in successive new legislative reforms tabled in Parliament; including, but not limited to, nominating me to sit on the panel reviewing pardon user fees.

Over the next year, in addition to looking forward to continuing on the CAEFS' Board, I have accepted a mandate to chair the Independent Advisory Panel regarding the proposed increase to the Pardon User Fee. I look forward to bringing authenticity and transparency to this process, so stay tuned for updates.

On behalf of the entire network, we thank all of the members of the Board of Directors and our membership for your continued efforts to maintain CAEFS' stellar reputation and steadfast determination to fulfill our mandate without compromising fairness, humanity or equality. On behalf of the Board, I also thank Kim Pate, our Executive Director, for her dedication and hard work on behalf of CAEFS. We owe a debt of tremendous gratitude to all who have helped to build and shape CAEFS for the women and girls with and on behalf of whom we work.



Lucie Joncas
President
Canadian Association of Elizabeth Fry Societies



Canadian Association of Elizabeth Fry Societies™
Association canadienne des sociétés Elizabeth Fry
701-151 Slater Street, Ottawa, Ontario K1P5H3
Telephone : (613) 238-2422
Facsimile : (613) 232-7130
e-mail : caefs@web.ca
Home Page : www.elizabethfry.ca

Treasurer's Report

Fiscal Year: April 1, 2010 – March 31, 2011

It is with pleasure that I am able to report to our membership that the fiscal situation of the Canadian Association of Elizabeth Fry Societies (CAEFS) continues to remain positive and stable. We are wisely planning for the future in the event that this is not the situation we face in the coming years.

Once again, particularly in these times of economic, social and personal restraint, we are proud that we have ensured that the CAEFS' membership is well represented by our national office. Fiscal constraints have not diminished our efforts on behalf of the victimized, marginalized, criminalized and institutionalized women with and on behalf of whom we exist. Our Executive Director has continued to offset some of these expenses by donating to CAEFS the resources she raises via her speaking engagements, awards and her teaching at the University of Ottawa, Faculty of Law.

We look forward to continuing to fulfill the mandate of CAEFS. A detailed accounting of our expenditures is available in our audited financial statements. All financial commitments have been met and CAEFS has operated in accordance with the direction of the Board throughout the past year. On behalf of the Board of Directors, I thank all of the membership for your continued efforts to maintain CAEFS' fiscal stability.

Cathie Penny
Treasurer
Canadian Association of Elizabeth Fry Societies



Canadian Association of Elizabeth Fry Societies™
Association canadienne des sociétés Elizabeth Fry
701-151 Slater Street, Ottawa, Ontario K1P5H3
Telephone : (613) 238-2422
Facsimile : (613) 232-7130
e-mail : caefs@web.ca
Home Page : www.elizabethfry.ca

Canadian Association of Elizabeth Fry Societies

Annual General Meeting – 2011

Executive Director's Report

*When thee builds a prison, thee had better build it with the thought ever in thy mind that
thee and thy children may occupy the cells.*

Elizabeth Fry

This Annual General Meeting occurs during my twentieth year of having the profound privilege and responsibility of working with our membership, Board and the women whose lived experience informs our work. Thank you to each and every one of you committed, caring and compassionate women for doing your level best to alleviate oppression and improve the world.

In terms of our activities, during the past year, we were invited by individual Members of Parliament, Senators, Parliamentary and Senate Committees to meet with and/or appear before them to comment on current legislative and policy reform issues on 37 occasions. Furthermore, we had 349 meetings with political staff and bureaucrats.

We spoke at 126 individual events, from public talks, recognition ceremonies, conference presentations to media events. I also attended regional meetings, either in person or via teleconference, and provided accompanied Regional Advocates to the federal prisons, in addition to having the opportunity to meet with Board members, staff and/or volunteers and clientele of 16 of our 25 members, as well as the then emerging Elizabeth Fry Society on Prince Edward Island.

We contributed to media stories on 117 occasions and wrote 8 reports, articles or papers for presentation or publication, as well as 406 letters. This does not include the volume of additional information influx that the CAEFS office receives. For instance, we also dealt with 47,110 emails, 5,276 telephone calls, and 515 faxes.

The figures I just listed do not reflect the additional work contributed by our amazingly enthusiastic and creative membership across Canada. Regardless of resource limitations, our network of local Elizabeth Fry Society offices make a significant and enduring impact in their respective communities, regions, and for the country as a whole. This reality notwithstanding, as you review our reports and as we continue our work, you will see that there is still much work to be done by our wonderful network of phenomenal women.

The following report will provide you with an overview of our work to promote the rights and entitlements of women with the lived experience of marginalization, victimization, criminalization and/or imprisonment. As we continue to learn and grow via our collective and collaborative efforts, we look forward to also celebrating the strength, flexibility, tenacity and evolution of the network and the amazingly courageous and resilient women and girls with whom we walk and work.

Priority Issues and Law Reform Initiatives

Canadians are smart, concerned and compassionate people. Although we are encouraged to accept inflammatory rhetoric and baseless allegations that punishment is an effective remedy to crime and a viable means of promoting public safety, there is mounting proof that pushes for longer and more mandatory minimum sentences actually promote fear and ignorance with respect to what works. Moreover, it is clear that austere and isolating prison conditions are at best debilitating, and, at worst, brutalizing. The case for progressive sentencing and community integration policies is grounded in research and reliable evidence.

Canadian taxpayers are increasingly frustrated by the government's lurch toward longer and more punitive sentences. They are also fundamentally opposed to the long-term devastation occasioned by the evisceration of social, health, educational and fiscal resources. Likewise, as we heard first hand during the forum on Parliament Hill that the Housing Committee sponsored in May of 2010, it is very clear that many Canadians question the rush to accept prisons as the default for a lack of housing for the homeless, or shelter for those escaping violence. In addition, people are not willing to accept prisons as a substitute for community-based treatment for those with disabling mental health issues or childhood institutional abuse.

*** Regional Advocacy**

The Regional Advocate Teams in each of the regions are a tremendous credit to CAEFS. Despite some occasional challenges in terms of access to women in institutional living units, segregation and maximum security units, the Advocates did an excellent job of ensuring that they were accessible as possible to imprisoned federally sentenced women. They give voice to the women inside and facilitate linkages between women and our membership, as well as other community supports and resources.

In the coming year, we look forward to the opportunity to renew partnerships with governmental and non-governmental leadership focusing on the need to enhance community-based resources for women. CAEFS' Regional Advocacy Teams continued their work to enhance community-based prevention and sentencing options, as well community integration opportunities for women. A number of the teams and local societies also co-hosted community education fora, in conjunction with the Correctional Service of Canada. I encourage all of you to request and read their reports in order to further update yourselves regarding the matters that are of relevance to the women.

* 'Management Protocol' Regime

The Correctional Service of Canada (CSC) has finally ended the use of the 'management protocol'. Although two of the four Indigenous women who remained on the protocol are now segregated in maximum security units, the other two are still in segregation units. Although all are from the Prairie Region, not one is in her home province. Moreover, we continue to join the Native Women's Association of Canada in supporting a complaint to the Canadian Human Rights Commission, with respect to the continued application by the Correctional Service of Canada of discriminatory classification approaches and conditions of confinement that violate rights that are enshrined in the *Canadian Charter of Rights and Freedoms*, the *Canadian Human Rights Act*, the *Corrections and Conditional Release Act*, and numerous international agreements and covenants to which Canada is a signatory.

Two of the women began and abandoned law suits this past year, indicating that they were afraid that they would be further punished for going to court. A third did proceed with a court action. Interestingly enough, the launching of the court case was almost immediately followed by the public announcement by CSC of their termination of the 'Management Protocol'. The fourth woman was labeled a "Dangerous Offender", as a result of her involvement in a hostage-taking incident with which she and another woman were involved more than five years earlier.

All four women have requested our continued assistance to help them gain access to a non-punitive, non-CSC venue, from which they might more likely receive favourable treatment and therefore greater opportunity to reduce their respective security classification and increase future opportunities for appropriate programming and treatment, conditional release and community integration.

* Oversight of Corrections Urgently Required

This past year saw CAEFS entering our fourth year of having to continue our pursuit of the files that Ashley Smith – when she was alive -- asked us to review on her behalf. We must reiterate that this struggle, not to mention, the many obstacles we are experiencing now in relation to the inquest into Ashley's death, is emblematic of the urgent need for external oversight of corrections. Given the challenges associated with our struggles – and that of Ashley's family -- to remedy this situation, one can only imagine how well nigh impossible it would be for a woman or man in prison to attempt to exercise their rights and call CSC to account.

Ashley's family, the Correctional Investigator of Canada, Members of Parliament, as well as many organizations and individuals, including the Honourable Louise Arbour, have consequently renewed calls for the full implementation of the recommendations made by the Arbour Commission fifteen years ago. Among others, these included:

- the need to establish external, independent correctional oversight and redress mechanisms that are comprehensive and accessible;
- the need to correct the policies and procedures in the federal prison system which result in women, who corrections recognizes pose a low risk to public safety, being classified as maximum-security prisoners;
- the need to end the use of male guards in prisons for women, as well as the need for prisoner-focused policies to end sexual harassment, exploitation and assault, as well as other abuses and misuses of power and authority;
- judicial oversight of the use of segregation and other forms of confinement; charging practices and correctional interference with the integrity of sentences of imprisonment.

* Criminal Justice Reforms

We are also extremely concerned about the government's past regressive law and order agenda, as well as the looming omnibus bill proposed by the government.

We are already advised that Bill C-25, the legislation referred to as the "truth in sentencing" act that Parliament passed in 2009, which interferes with judicial discretion to remedy egregious conditions of pre-trial detention by crediting time served at the time of sentencing, has caused an increase of some 50-60 women in the federal prisons for women. Furthermore, Bill C-59, the last law rammed through Parliament before the House rose for the election, eliminated accelerated parole review. That law alone, CSC advises, has impacted approximately 100 women serving first time federal sentences for non-violent offences. All of the federal prisons for women are already overcrowded.

The Parliamentary Budget Officer established by the government and tasked with the role of ensuring fiscal openness and transparency by the government to Parliament and the public, was denied access to information to allow them to assess and address the costs of Bill C-25 alone. As a result, the government was cited for contempt of Parliament, following its failure to produce clear and transparent information regarding the anticipated costs of current law and order crime and sentencing legislation.

The Correctional Service of Canada estimates that it will add between 10-11% to Canada's federally sentenced prison population, requiring a costly expansion of Canada's prison infrastructure. Meanwhile our crime rate continues its long-term decline. The PBO financial analysis reveals that the government has been less than forthcoming about the cost of this and other planks of its criminal justice platform. Within less than 24

hours of being asked about the costing of the Bill by the media, the department's estimates soared 2200% from 90 million to 2 billion. The PBO estimates the costs as much higher still.

Canadians are being tricked into believing that this and other new laws will make our communities safer. This is the opposite of truthfulness and it comes with an enormous human and financial cost, and at a time when these sorts of measures in the United States are bankrupting state governments and leaving more and more citizens without adequate health care, social services, or educational opportunities. We deserve to know what these law reform measures are going to actually cost us, as well as how they will be funded, so we are encouraging our membership to ask their Members of Parliament to repeal this legislation and request that they fulfill their fiduciary responsibility to Canadians and identify how and why they plan to vote one way or the other on future bills.

We continue to urge all Canadians to ask such pointed questions as: Will these new laws result in a greater likelihood that our children go without medical care unless we can pay for it? Will it leave your brother homeless? Will our fathers lose their veteran's pensions? Will our grandchildren have even less access to good public education? Will my sister be criminalized and imprisoned when her mental illness goes untreated and she panics on the street corner? This Bill is not at all about truthfulness. Canadians deserve to know at what cost these destructive and fear-inducing measures are being introduced.

In addition, given the reality that the majority of Canadian voters did not vote in support of the platform promoting an omnibus crime bill, we urge all Canadians to demand a referendum regarding the advisability of embarking upon a model of policy and law reform without clear understanding of the legislative, social and fiscal impact of such reforms.

Most Canadians are opposed to the proliferation of mandatory minimum and longer prison sentences, as well as the cuts to programs and services within prisons for adults and youth. They are also extremely concerned that youth not be subjected to adult penalties for juvenile errors. They are also concerned that Canada is on a trajectory in pursuit of U.S. criminal justice policies of decades past, at the same time as the United States is retreating from such agenda; and, that like what has happened in the U.S., such moves will result in cuts to pensions, child care, education, health care and social programs.

Canadians must be given an opportunity to direct how they wish Parliamentarians to vote on these matters. They should be asked to vote in a referendum, as to whether they wish their tax dollars to be expended on pensions, child care, victim supports, education, health care, housing, and social programs, rather than on the construction of more prisons for longer and more punitive sentences.

* Future Action

We continue to mourn the loss of Ashley Smith. Too many others are similarly languishing in isolation, in segregation cells where their treatment creates or exacerbates mental health issues. This year, and in the future, we will continue to advocate for those with mental health issues to be dealt with extra-judicially when and wherever possible. Furthermore, we will continue to work to extricate from the criminal justice and correctional systems, those who have previously been ensnared in such ever widening, deepening and increasingly sticky nets.

As our President has reminded us often, we cannot stand idly by and let the decimation of human and Charter rights for these women continue. Indeed, CAEFS applauds the decision of CSC to end the management protocol, as well as the efforts of the Deputy Commissioner for Women to develop memoranda of understanding and exchange of service agreements with provincial and territorial ministries of health. Furthermore, CAEFS applauds and supports the recent successful release into the community of a woman who, just last year, was in the same sort of conditions of confinement as Ashley experienced.

The coming year will also see us acting upon the resolution against prostitution and trafficking of women, as we intervene with the Native Women's Association of Canada and other equality-seeking groups, to counter moves to legalize prostitution and decriminalize the sexual exploitation and trafficking in women and girls.

CAEFS will also continue its work with International Human Rights Program, University of Toronto, Faculty of Law, regarding international human rights protections and enforcement mechanisms for prisoners with disabling mental health issues. In addition to the other conventions which CAEFS has invoked to argue for greater accountability and appropriate interventions for women, we are also examining the manner in which we might utilize the Convention on the Rights of Persons with Disabilities. We may wish to submit a Shadow Report to the UN Committee on the Rights of Persons with Disabilities when Canada reports in 2012.

We will also continue our work, in coalition and collaboration with other equality seeking groups, to approach the United Nations with concerns about the manner in which Canada is increasingly making legislative, policy and fiscal decisions that are exacerbating the marginalization, victimization, criminalization and imprisonment of women, poor people, racialized people – especially our Indigenous sisters, and those with disabling mental health issues. We have also reiterated our requests to the UN to call upon Canada to establish external, independent correctional oversight and redress mechanisms that are comprehensive and accessible.

Committees examining Canada's record with respect to human rights, women's rights, prisoners' rights, civil and political rights, as well as disability, torture and children's rights, have already voiced their clear and cogent denunciation of the policies and procedures in the federal and youth prison systems which results in the over-

classification, segregation and disciplining of women and girls, as well as the discriminatory treatment of racialized and disabled women.

Canada used to have an enviable reputation when it came to protecting and promoting human rights throughout the world. We will continue to encourage the Canadian public to ensure that our Government works to regain that reputation, starting with a renewed commitment to respecting and upholding human and Charter protected rights for all Canadians, regardless of their sex, race, ability, sexual orientation or politics.

Public Education and Proactive Agenda

* Human Rights in Action (HRIA)

This year, we completed the publication and distribution of the Human Rights in Action manuals for women in provincial lock-ups and jails in British Columbia, Saskatchewan, Ontario, Quebec and New Brunswick. With the notable exception of Ontario, where correctional authorities have erected some temporary roadblocks to the distribution of the manual to women in prison, the feedback from women inside, as well as CAEFS and correctional staff alike continues to be extremely positive.

* Housing Forum

On May 3-4, 2010, the CAEFS Housing Committee, co-chaired by Jennifer Harrington and Paula King, launched National Elizabeth Fry Week with a forum on Parliament Hill. Entitled, *Help Make Canada a Better Place for Women*, this well-attended event highlighted the importance of ensuring that relevant community-based accommodation, mental health support, educational and social services exist for women and girls.

By focusing on the housing needs in particular, the forum presenters identified some of the ways in which such resources are vital to both preventing women from being marginalized, victimized, criminalized and imprisoned, but also to assisting in the community integration process for women who are exiting prison. Please review the report of the committee for more details about the forum and stay tuned for the pod casts of the many incredible presentations made by our members and our allies.

Concluding Comments

Although we commence this year with significant and well-founded trepidation, knowing that all of the prisons for women are over-crowded – visiting and interview rooms are being used to house women, maximum security cells are being double bunked – and an omnibus crime bill looms, we remain committed to working on an ever-evolving agenda.

We also remain in awe of the courage, tenacity and resilience of the marginalized, victimized, criminalized and institutionalized women with and on behalf of whom we work. In addition, despite the many challenges of these times, we continue to enjoy what

must be some of the most committed, creative and amazingly enthusiastic staff, volunteers and Boards of Directors amongst our membership. Thank you for always enlivening my interest and enthusiasm for this work. I remain in awe of your incredible compassion, energy and resourcefulness.

I am especially appreciative of the wonderful team of women from across the country, who volunteer their valuable expertise, energy and time to lead this organization and form the Board of Directors of the Canadian Association of Elizabeth Fry Societies. Your opinions, expertise and experience are invaluable; and you provide visionary, compassionate and intelligent leadership for our organization.

It is my tremendous privilege to work with and for all of you.

A handwritten signature in blue ink that reads "Kim Pate". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Kim Pate
Executive Director
Canadian Association of Elizabeth Fry Societies