



Angela Beecher, Warden
Grand Valley Institution for Women
1575 Homer Watson Blvd Kitchener, ON N2P 2C5
Sent via email.

January 20th, 2025

CAEFS' December 2024 Advocacy Letter

Dear Angela,

We want to thank the institutional management team ("IMT") at GVI for taking the time to meet with our advocacy team on January 13th, 2024, via Teams.

This letter summarizes reports we received and conditions we observed during our visit to the Grand Valley Institution from December 17th to 19th as well as summaries of the discussion between the Canadian Association of Elizabeth Fry Societies (CAEFS) and members of the institutional management team following the visit, the relevant laws and policies, and CAEFS' recommendations.

The agenda for this meeting was shared on December 20th, 2024, including the names and signed consent forms for the individuals whose specific case were to be discussed.

We look forward to your response.

Respectfully,

Jacqueline Omstead
Senior Advocate

Impact of Peer Allegations

Description: People reported to CAEFS that information reported about them by other incarcerated people is a source of harm, being used to disrupt their ability to access programs, services, and conditional release, even though such reports are often not corroborated through urinalysis or searches, even when these methods for confirming information are requested by the person facing allegations. People shared that this creates an environment where they feel that anything can be said about them and believed, and where they are constantly afraid of punishment and living in a constant state of heightened anxiety – which carries accompanying adverse physical and mental health impacts. CAEFS shared specific examples with GVI's institutional management team (IMT) with the signed consent of impacted individuals. One individual who shared that suspected use of marijuana was preventing them from cascading to minimum-security and securing a "position of trust". She asked for a urinalysis, but it was not offered. The other individual shared that she had been suspected of trafficking drugs into the institution and, when she asked the Security Intelligence Officer (SIO) if the investigation had been closed and what had been found, she was told that this information would be shared with her when it was also shared with the Parole Board.

Discussion: The IMT and CAEFS discussed these cases: The Warden offered to follow up with the Security Intelligence Officer (SIO) directly regarding the latter case. The Warden had previously met with the former and a summary of what was discussed was shared with CAEFS.

More broadly, the IMT shared that information is substantiated, but that urinalysis testing is not available by request from the incarcerated person. CAEFS raised the limited avenues available to people to build a defence against allegations. The IMT suggested that people connect with their case management team and the SIO if they have concerns about their file information as incarcerated people have the right to at least a gist regarding information included on their file.

Law & Policy:

CCRA s. 24 (1): The Service shall take all reasonable steps to ensure that any information about an [incarcerated person] that it uses is as accurate, up to date and complete as possible.

Creating Choices, Statement of Purpose: Correctional Service of Canada with the support of communities has the responsibility to create an environment that empowers federally sentenced women [and gender-diverse people] to make meaningful and responsible choices in order that they may live with dignity and respect".

CD 566, s.11: All staff who directly interact with [incarcerated people] will apply the following dynamic security practices while carrying out their responsibilities and/or operational procedures: (d) maintain a consistent approach to addressing inappropriate and negative behaviours through direct and constructive feedback, while encouraging [incarcerated people's] positive behaviours.

CAEFS Recommendations: CAEFS encourages GVI to respond to alleged intelligence in ways that prioritize least restrictive measures, reflect the printings of *Creating Choices*, and are aligned with the overall rehabilitative / reintegrative purpose of the CSC.

Committees

Description: During our visit, CAEFS received reports related to challenges facing both the Inmate Committee as well as voluntary peer-led committees at GVI. These included that minutes from the Inmate Committee meetings with the Warden are currently being provided 10 days prior to the following meeting, rather than 10 days after the meeting as per Commissioner's Directive 083, s.56. Having the meeting minutes provided 10 days prior to the meeting makes it impossible for the committee to share the minutes with the population, receive feedback, and prepare the agenda for the meeting in a timely manner.

The Black Women of Diversity (BWOD) committee has been told that the constitution for their committee has been "on the warden's desk" and that they have asked for a copy numerous times over the course of many months, but it has not been shared with them.



The pod representatives in the maximum-security unit report that they have not yet been officially hired into their positions and have not yet been paid. This has also impacted their ability to have meetings together, though CAEFS was able to meet with them together during our visit for the first time since the positions were created.

Discussion:

- The Warden shared that she had looked through the relevant Commissioner’s Directive and that the wording could be interpreted both ways. The Warden offered to seek clarification from National Headquarters on the interpretation of the directive.
- The Warden agreed to find the BWOD constitution and share it with the Committee.
- The Assistant Warden of Interventions was not present at the meeting, and so discussion regarding the pod representatives was tabled.

Law & Policy:

CD 083 (Minutes of Meetings)

s.55: Minutes are required for each meeting between the executive members of the Inmate Committee, the Institutional Head and the Inmate Committee Liaison Officer. The minutes will:

- a. be transcribed by the staff member designated by the Institutional Head to record the discussion concerning each agenda item
- b. be reviewed and approved by the Institutional Head and the Chair of the Inmate Committee
- c. include all supporting documents and be maintained in accordance with CD 228 - Information Management.

s.56: The Inmate Committee Liaison Officer will, within 10 working days of the meeting, distribute the minutes to:

- a. the Institutional Head
- b. each executive member of the Inmate Committee
- c. institutional staff, or make the minutes available to them on the institution’s Hub page
- d. the Chairperson of the institution’s Citizen Advisory Committee.

s.57: Executive members of the Inmate Committee will ensure that the minutes are posted in ranges/living units/houses.

CAEFS’ Recommendations: Peer led committees are an essential element of the Creating Choices model of incarceration, and are legislated through various principles within and areas of the Corrections and Conditional Release Act. Functional committees provide individuals with the opportunity to build community, positively contribute to the penitentiary environment, and to develop transferable vocational skills that will aid in community re-entry. Committees promote a culture of democracy and shared responsibility as well as empowerment. Providing minutes within 10 days following the meeting to which the minutes pertain supports the Inmate Committee in effectively representing the needs of the group they represent, while promoting transparency.

Least restrictive measures for people who have been given life sentences

Description: CAEFS has received reports that people who have been given life sentences where they are only eligible for parole at 25 years are being told by their parole officers that, because of possible media coverage, they will not be supported to cascade down to minimum until they have completed 18 years of their sentence.

Discussion: The Warden shared that she had not heard of this and that while the media piece is “a given”, the information regarding the length of time that people who have been life sentences will be required to complete is not factual.



Law & Policy:

CCRA s.4(c): the Service uses the least restrictive measures consistent with the protection of society, staff members and [people in prison].

CD 710-6 s. 7: A Security Classification Review (Security Reclassification Scale/Security Reclassification Scale for Women and Assessment for Decision) will be completed at least once every two years for [people] classified at maximum or medium security level. For Indigenous [people], if this review falls while the [person] is taking a main program, the Security Classification Review will be completed in accordance with paragraph 8.

CCRA s. 4(b): the Service enhances its effectiveness and openness through the timely exchange of relevant information with victims, [incarcerated people] and other components of the criminal justice system and through communication about its correctional policies and programs to victims, [incarcerated people] and the public

CAEFS' Recommendations: In order for the CSC to ensure it is using the least restrictive measures consistent with the protection of society, staff members, and [people in prison], security classification reviews must be conducted in the prescribed timeframes. Supporting people to be move to a lower security classification is not only aligned with the principle of least restrictive measures, but increases the likelihood of successful parole and community reintegration. CAEFS encourages CSC to fulfill its purpose by educating the public, including the media, about the importance of the use of least restrictive measures and the effectiveness of cascading security classifications. CAEFS is encouraged to hear that the information related to revised practices related to security classifications was not based in fact.

Timely Access to Assessments, Parole Officers, and Conditional Release

Description: CAEFS received reports that individuals are being told by their parole officers to delay applying for day parole and/ or to waive their full parole hearings. Reasons include awaiting risk assessments to access programming, and being told that they are “not there yet” despite completing their correctional plan requirements. CAEFS also received reports that individuals are finding it challenging to connect with their parole officers when needed.

Discussion: The Assistant Warden of Interventions was not present at the meeting, and so this discussion was tabled.

Law & Policy:

CCRA, s. 3: The purpose of the correctional system is to contribute to a just, peaceful, and safe society by carrying out sentences imposed by courts through the safe and human custody and supervision of incarcerated people and by assisting the rehabilitation of incarcerated people and their reintegration into community as law-abiding citizens.

CCRA, s. 15(2): The [correctional] plan is to be maintained in consultation with the [incarcerated person] in order to ensure that they receive the most effective programs at the appropriate time in their sentence to rehabilitate them and prepare them for reintegration into the community, on release, as a law-abiding citizen.

CD 712-3 4(a): The Parole officer will ensure the incarcerated person is made aware of and understands their right to PBC review and the consequences of waving that right (CCRA subsection 123(2)).

CAEFS' Recommendations: Conditional release provides individuals with the strongest opportunities to be successful in their reintegration. According to the Parole Board of Canada, the gradual release of individuals from incarceration, also known as the continuum of release, is the best way to reintegrate people who are incarcerated into community. Ensuring that all assessments and programming are completed in a timely manner that supports timely conditional release is aligned with the purpose of the Correctional Service of Canada.



Use of Force

Description: An individual reported being pepper sprayed while being transferred to the SIU. She shared that this has have severe impacts on her health and wellbeing. She reported that the use of force incident resulted in her having multiple seizures that required her to be hospitalized, put into a medical induced coma, and admitted to the ICU for a week. Prior to the incident, she shared that she had been trying to seek medical attention because she had been feeling like something was wrong, but reported that she did not feel that health care staff were taking her seriously and instead suspected that she was using drugs. She shared that she cooperated with all requested drug tests and that all tests returned as negative. She shared that she was told that when she was removed from her living unit, she was told that she was being brought to health care to receive medical attention, and was instead transferred to the SIU, which is what led to the use of force incident.

She reports that when she returned to GVI she learned that she had had a staph infection in her blood that was being treated with antibiotics. Upon her return, she was placed in the SLE and told that she would be supported to remain in the SLE. She reported that in a matter of days, and without further incident, she was transferred to the maximum-security unit. She shared that her goal is to return to the Structured Living Environment (SLE) and complete Dialectic Behavioural Therapy (DBT).

Discussion: The Warden shared that she had met with this individual several times and provided a summary of those meetings. The Warden shared that the use of force had been reviewed at site level and there were no flags for excessive use of force and that it was not being reviewed at National Headquarters. The individual is now in the SLE and doing programming.

Law & Policy:

CCRA s. 69: No person shall administer, instigate, consent to or acquiesce in any cruel, inhumane or degrading treatment or punishment of an [incarcerated person].

CD 567-1 s. 8: Any use of force will be limited to only what is necessary and proportionate to manage the incident.

CCRA s.86(1): The Service shall provide every [incarcerated person] with (a) essential health care

CAEFS' Recommendations: The use of force undermines the rehabilitative mandate of CSC and disproportionately impacts the most vulnerable individuals in custody, including those with mental health challenges and histories of trauma. Use of force exacerbates harm, creates distrust, and escalates tensions within correctional environments. CAEFS recommends CSC transition toward trauma-informed, non-violent interventions that prioritize least-restrictive measures and with the principles of Creating Choices.

Structured Intervention Unit (SIU)

Description: CAEFS met with an individual who reports being in the SIU for over 70 consecutive days. She reports that continuing to be held in the SIU is having adverse impacts on her mental health and her self-worth. During our meeting, she shared that she feels like "a dirty Indian" because no one will be in the same room as her, because of the barrier protocol. The staff in the maximum-security unit commented to CAEFS that she "will always be on barrier". She shared that she does not have access to the supports that she needs at GVI, namely trauma therapy, and that she is trying hard to do all the things that are asked of her. She also shared that she has had very little contact with peers, which has impacted her mental health. CAEFS has suggested she put in a request to have regular access to the Inmate Committee representative and Peer Advocate for the maximum-security unit. Further, CAEFS has received reports that the SIU handbook is not being provided to people when they are first admitted to the SIU.

Discussion: CAEFS and the IMT discussed the reported concerns. This included:



- The IMT shared that the individual has been provided with ample opportunities to engage and that she has received information about the access she has been offered.
- The IMT shared that she did not dispute the adverse impacts on the individual's mental health.
- The IMT shared steps that have been taken to reduce barriers and transition back into the secure unit and noted progress that the individual has made and the efforts of healthcare and other staff.
- The individual's statutory release date is in a month.
- The individual is not meet the eligibility criteria for Pinel or the Regional Psychiatric Centre

Law & Policy:

CCRA s. 32 (1) The purpose of a structured intervention unit is to (b) provide the [incarcerated person] with an opportunity for meaningful human contact and an opportunity to participate in programs and to have access to services that respond to the [incarcerated persons'] specific needs and the risks posed by the [incarcerated person].

CCRA s 32 (2) For the purposes of paragraph (1)(b), every reasonable effort shall be made to ensure that the opportunity to interact through human contact is not mediated or interposed by physical barriers such as bars, security glass, door hatches or screen

CCRA 79.1 (1) In making decisions under this Act affecting an Indigenous [people in prison], the Service shall take the following into consideration:

(a) systemic and background factors affecting Indigenous peoples of Canada;

(b) systemic and background factors that have contributed to the overrepresentation of Indigenous persons in the criminal justice system and that may have contributed to the [person's] involvement in the criminal justice system;

CCRA s. 69: No person shall administer, instigate, consent to or acquiesce in any cruel, inhumane or degrading treatment or punishment of an [incarcerated person].

CAEFS' Recommendations: Research shows that the practice of segregation causes adverse impacts on the health and wellbeing of people who are incarcerated, and that CSC should end all forms of segregation, including Structured Intervention Units. This individual's experience highlights the specific and differential adverse impacts that solitary confinement, and particularly barrier protocols, have on Indigenous people as a result of systemic discrimination and colonization.

