



Carole Chen, Warden  
Fraser Valley Institution for Women  
33344 King Rd, Abbotsford, BC V2S 6J5

**Re: March 2025 Advocacy Visit Follow-Up**

April 14<sup>th</sup>, 2025

Dear Carole,

We want to thank the Institutional Management Team (IMT) at Fraser Valley Institution (FVI) for taking the time to meet with our Pacific Regional Advocacy Team on March 28<sup>th</sup>, 2025, via Teams. This letter details the overarching issues at FVI that were reported to The Canadian Association of Elizabeth Fry Societies (CAEFS) during our advocacy visit on March 20<sup>th</sup> and 21<sup>st</sup>, 2025. It also includes our summary of the discussion that took place during the meeting mentioned above, relevant laws and policies, and CAEFS' recommendations.

During this in-person advocacy visit, CAEFS advocates noted one person incarcerated in the Structured Intervention Unit (SIU) at FVI. This individual reported being in the SIU for 3.5 months. The Pacific Regional Advocacy Team is looking forward to collaborating with both this individual and IMT to ensure they are transferred from the restrictive conditions of the SIU at the earliest possible opportunity.

## **1. Access to Family Visits**

**Description:** CAEFS advocates received several reports from individuals that there are barriers to accessing family visits at FVI. Specifically, people shared that in the maximum security, people can schedule one video visit at a time, and that this practice is negatively impacting access to and connection with family and community. Individuals in maximum security have access to video visits at the penitentiary on Thursdays, Saturdays, and Mondays, but there are reported challenges to getting a second weekly visit approved by the Visit and Correspondences department between Friday and the following Monday, when operational capacity is reduced.

People in maximum security at FVI shared how critical these video visits are for both them and their families, especially for young children who are separated from their primary parent or caregiver by incarceration. A solution identified by people in maximum security is being able to schedule two or three visits at a time, to support sustained contact with family and community over the course of incarceration.

Advocates were also asked to anonymously report to IMT the experiences of people who are incarcerated with correctional officers during supervised in-person family visits. People reported correctional officers making comments about their ability to terminate visits at any given time, and that these comments can feel threatening and intimidating for the individual whose family is visiting the penitentiary.

**Discussion:** IMT told advocates that they were not aware of this video visits issue reported by people in maximum-security at FVI. IMT stated that the Assistant Warden of Operations (AWO) would follow up with advocates on this reported concern, as they were not able to attend the meeting.

IMT said that when an incarcerated person reports an issue with correctional officer behaviour; IMT works to ensure there is follow up and clarification when and if possible.

**Law/Policy:**

CCRA, section 28(b(i)): If a person is or is to be confined in a penitentiary, the Service shall take all reasonable steps to ensure that the penitentiary in which they are confined is one that provides them with the least restrictive environment for that person, taking into account: (b) accessibility to (i) the person's home community and family.

CCRA, section 71(1): In order to promote relationships between [incarcerated people] and the community, an [incarcerated person] is entitled to have reasonable contact, including visits and correspondence, with family, friends and other persons from outside the penitentiary, subject to such reasonable limits as are prescribed for protecting the security of the penitentiary or the safety of persons.

**CAEFS Recommendations:** A primary reason that Canadian federal penitentiaries designated from women were built in each region was to promote close community and familial contact for federally sentenced women and gender-diverse people. Accordingly, all federal penitentiaries should facilitate broad, consistent access to family and community to support the Correctional Service of Canada's (CSC) mandate of rehabilitation and reintegration at the earliest possible dates.

## 2. Conditions in the Maximum-Security Unit

**Description:** CAEFS advocates continue to receive reports that there are overly restrictive conditions of confinement impacting people the maximum-security unit at FVI. Specifically, CAEFS received multiple reports on the challenges of engaging with the interdisciplinary team (IDT) as an established mechanism to lower security classification for the maximum-security population. Advocates were told that people do not feel supported by the IDT, nor do they feel like the IDT has plans to support them in transitioning to medium security. Advocates were told there are at least four people currently in maximum-security at FVI who have been held at this security classification for more than two years. The composition and function of the IDT have been identified as barriers to lowering security classification by people in maximum-security for two consecutive advocacy visits.

Individuals also reported that limited and/or inconsistent access to cultural, religious, mental health, recreational, and educational supports in maximum-security are negatively health and wellbeing, as well as progress made on correctional plans. People reported specifically on the lack of cultural and spiritual supports in the maximum-security unit and that access to Elder support has drastically decreased since the beginning of the year.

Individuals whose security subclassification within maximum-security allows them to leave the unit for programming and recreational activities, reported only being able to access one activity off the unit, either library or gym, and reported not being able to choose which activity they prefer.

Individuals in maximum security identified increased mental health supports during the week and on weekends, including increased behavioural counsellor support and activities, as beneficial to mental health, wellbeing, and community building within the maximum-security unit.



**Discussion:** IMT said that every Institutional Security Level Review is tracked at FVI, including for people in maximum security, but that they will check to see if there are individuals who have been held in maximum-security for over two years. IMT stated that access on and off the maximum-security is tracked and approved through IDT, but that reported concerns regarding choice and frequency of activity will be discussed with IDT.

#### **Law/Policy:**

Canadian Charter of Rights and Freedoms, section 10(c): Everyone has the right on arrest or detention to have the validity of the detention determined by way of *habeas corpus* and to be released if the detention is not lawful.

CCRA, section 3(b): The purpose of the federal correctional system is to contribute to the maintenance of a just, peaceful and safe society by assisting the rehabilitation of people who are incarcerated and their reintegration into the community as law-abiding citizens through the provision of programs in penitentiaries and in the community.

CCRA, section 4(c): the Service uses the least restrictive measures consistent with the protection of society, staff members and people who are incarcerated.

CCRA, section 4(c.2): the Service ensures the effective delivery of programs to [people who are incarcerated], including correctional, educational, vocational training and volunteer programs, with a view to improving access to alternatives to custody in a penitentiary and to promoting rehabilitation.

CCRA, section 4(g): All correctional policies, programs and practices respect gender, ethnic, cultural, religious and linguistic differences, sexual orientation and gender identity and expression, and are responsive to the special needs of women, Indigenous persons, visible minorities, persons requiring mental health care and other groups.

**CAEFS Recommendations:** CAEFS encourages CSC to focus on the Creating Choices philosophies of empowerment, support, and person-centered care in its administration of the material conditions of incarceration to people of all security classifications, and to express compassion for people living within the maximum unit, which is an immensely challenging environment for individuals CAEFS has long called for the closure of the maximum-security unit. With many population management options available to the CSC, an assessment of the maximum-security units would be timely and would address the scope of issues reported to CAEFS monthly from these units.

### **3. Disciplinary Charges and Institutional Court Processes**

**Description:** Advocates received a number of reports both from individuals and committees on disciplinary charges and both minor and major court processes. Individuals reported having mental health considerations checked off on their disciplinary charges, but reported feeling confused regarding how and by whom their mental health was being considered.

People also reported on the impacts of losing access to critical supports and services as the result of institutional disciplinary charges. It was explained to advocates that receiving fines in addition to losing access to supports feels overly punitive and restrictive. Individuals in maximum security reported their levels being taken away in addition to receiving disciplinary fines and reduced access to supports and services, and that these consequences compound to negatively impact mental health, wellbeing, and progress made on correctional planning.

Individuals in maximum security also shared that the Correctional Manager (CM) of Maximum Security often represents the penitentiary at minor court disciplinary hearings. People reported feeling conflicted that an individual who is representing the penitentiary in a prosecutorial role at minor court is also on the IDT and their case management team.



Lastly, advocates received several reports on the barriers experienced by people and peer advocates during major court hearings. It was reported to us that individuals hired by the penitentiary as peer advocates are unable to speak at major court hearings. Advocates were told that peer advocates are being told that they can attend the major court hearing if they agree to remain silent for the duration of the hearing. It was also reported that requests to have peer advocates present for minor and major court hearings are not being replied to, and that individuals who request to postpone their hearing so that a peer advocate can attend are receiving guilty verdicts in their mail.

**Discussion:** The Chief of Healthcare at FVI confirmed that healthcare will review disciplinary charges prior to them being given. The healthcare team is looking for whether there are mental health concerns regarding the individual's ability to follow rules, for example psychosis.

IMT said that disciplinary charges are aimed to discourage repeat behaviours and that warnings are frequently given prior to issuing a charge. IMT also stated that levels within the maximum-security unit correspond to behaviour and that levels are based on risk and level of supervision needed. IMT said that a CM will oversee the minor court processes and that the CM of maximum-security is the most involved and knowledgeable in maximum-security cases, and therefore regardless of this reported conflict of interest it is seen as beneficial to have the CM of maximum-security represent the penitentiary at institutional hearings.

IMT said they are not aware of requests for peer advocate support at court being denied and that they would like additional details on this reported concern.

#### **Law/Policy:**

CCRA, section 41(1): Where a staff member believes on reasonable grounds that an [incarcerated person] has committed or is committing a disciplinary offence, the staff member shall take all reasonable steps to resolve the matter informally, where possible.

CCRA, section 87: The Service shall take into consideration an [incarcerated person's] state of health and health care needs in all decisions affecting the [incarcerated person's], including decisions relating to placement, transfer, confinement in a structured intervention unit and disciplinary matters.

Correction and Conditional Release Regulations (CCRR), section 34 (b): Before imposing a sanction described in section 44 of the Act, the person conducting a hearing of a disciplinary offence shall consider (b) the least restrictive measure that would be appropriate in the circumstances.

CCRR, section 35 (2) A sanction of the loss of privileges (a) shall be limited to a loss of access to activities that are recreational in nature; and (b) shall not be imposed where the loss of privileges would be contrary to the [incarcerated person's] correctional plan.

**CAEFS Recommendations:** CAEFS encourages the CSC to use the disciplinary system, including following all timelines and procedures and informal resolution as it is legislatively required. Both minor and major disciplinary charges can have profoundly negative impacts on the liberty of people who are incarcerated, as disciplinary actions can be used to restrict access to positive supports both within the penitentiary and in the community, such as community programming and temporary absences to visit family.

#### **4. Aging in Custody**



**Description:** Individuals expressed concern regarding the supports and services available to people aging in custody, given the number of people incarcerated at FVI who are in their late sixties, seventies, and eighties. It was reported, for example, to advocates that caregiving supports for people in need of constant care are inconsistent, and that there is often no one to replace assigned caregivers if they are sick.

People also reported that there is a need for more activities to slow the progression of dementia, and that learning new skills and increased social interaction for people aging in custody would be beneficial. Our advocacy team encouraged people and the committees to put in a group proposal highlighting these community-identified needs specific to people aging in custody.

**Discussion:** Due to time constraints of the meeting, the Lead Advocate and the Chief of Healthcare agreed to connect via email to discuss this reported concern and the supports and services available to people aging in custody at FVI.

#### **Law/Policy:**

Canadian Human Rights Act, section 2: The purpose of this Act is to extend the laws in Canada to give effect, within the purview of matters coming within the legislative authority of Parliament, to the principle that all individuals should have an opportunity equal with other individuals to make for themselves the lives that they are able and wish to have and to have their needs accommodated, consistent with their duties and obligations as members of society, without being hindered in or prevented from doing so by discriminatory practices based on race, national or ethnic origin, colour, religion, age, sex, sexual orientation, gender identity or expression, marital status, family status, genetic characteristics, disability or conviction for an offence for which a pardon has been granted or in respect of which a record suspension has been ordered

CCRA, section 4(c.2): the Service ensures the effective delivery of programs to [people who are incarcerated], including correctional, educational, vocational training and volunteer programs, with a view to improving access to alternatives to custody in a penitentiary and to promoting rehabilitation.

CCRA, section 4(d): [incarcerated people] retain the rights of all members of society except those that are, as a consequence of the sentence, lawfully and necessarily removed or restricted.

CD 800 (Health Services), section 2(a): the provision of health services to [incarcerated people] in CSC institutions and in the community, in accordance with relevant legislation, professionally accepted standards, CSC policies and practice directives.

**CAEFS Recommendations:** Aging people represent over 25% of the federal prison population overall, and penitentiary environments are structured for able-bodied people in peak physical health, they are not conducive to the needs of people with age related mental and physical health conditions. CAEFS encourages the CSC to more meaningfully consider the impact of age in risk assessment processes and prioritize community-based alternatives to incarceration for aging individuals to lessen the physical, mental, and emotional impacts of incarceration.

### **5. Access to Elder Support**

**Description:** People from all security classifications reported limited access to Elder support at FVI.

Individuals in the maximum-security unit reported limited opportunities to engage with their culture through learning and engaging with Elders, and that the newly hired CSC Elder isn't offering the same level of access to cultural and spiritual



support as previous maximum-security assigned Elders. Individuals in the MSU reported not having access to an Elder in months. Individuals in the medium population reported feeling concerned about the reduction in Elder supports, as two of the primary CSC-employed Elders have taken time off.

**Discussion:** IMT said they are aware of these reported concerns and are working to improve access to Elder support across the security classifications at FVI.

### **Law/Policy:**

CCRA, section 4(g): All correctional policies, programs and practices respect gender, ethnic, cultural, religious and linguistic differences, sexual orientation and gender identity and expression, and are responsive to the special needs of women, Indigenous persons, visible minorities, persons requiring mental health care and other groups.

CCRA, section 83(1): Indigenous spirituality and Indigenous spiritual leaders and elders have the same status as other religions and other religious leaders.

CCRA, section 83(2): The Service shall take all reasonable steps to make available to Indigenous [people] the services of an Indigenous spiritual leader or elder after consultation with (a) the national Indigenous advisory committee established under section 82; and (b) the appropriate regional and local Indigenous advisory committees.

CD 700 (Correctional Interventions): The Institutional Head will ensure correctional policies, assessments, respect, programs and practices and are responsive to:

1. gender, including the special needs of women
2. ethnic, cultural and linguistic differences, including Indigenous [people who are incarcerated]
3. [incarcerated persons] requiring mental health care and those with physical disabilities

**CAEFS Recommendations:** Over 50% of people incarcerated in federal prisons designated for women are Indigenous, and meeting the needs of Indigenous people in custody must be a priority. It is CAEFS view that CSC should, in the spirit of addressing this national human rights crisis and upholding the principles of Creating Choices, prioritize the decarceration of Indigenous people in Canada, especially women and gender diverse people.

## **6. The Impacts of COVID-19 Measures**

**Description:** We were made aware of several reported concerns related to COVID-19 measures that are still in use at FVI. It was reported to advocates that people who are incarcerated do not have access to a bathroom when they are being visited in the Visit & Correspondences office (V&C). Individuals are unable to use the bathroom in the V&C or in the hallway between the V&C and the Principal Entrance. People are also unable to return to their living unit to use the bathroom as they wouldn't be allowed to return to the V&C to resume their visit, and their visit would be terminated.

We were also told that the maximum capacity of the Chapel was changed during COVID, and that the reduced capacity created during COVID is still being used today. Advocates were informed that the regular capacity of the Chapel is 38, but that currently only 20 people who are incarcerated are allowed in the space, with the remainder allocated for volunteers, which is maximum four or five.



Individuals said that House #1, which is the medical house, had its mailboxes moved during COVID-19. It was reported to us that the mailboxes have not been returned to their pre-COVID location, and that the current mailboxes location is difficult to access for individuals with limited mobility.

**Discussion:** IMT said that not allowing people who are incarcerated to use the bathroom during visits is a drug intervention strategy and is unrelated to COVID-19 measures. IMT also stated that the other reported concerns are likely the result of miscommunication, but that they will be investigated.

### **Law/Policy:**

Accessible Canada Act, section 6(a)(c)(e): This Act is to be carried out in recognition of, and in accordance with, the following principles: (a) all persons must be treated with dignity regardless of their disabilities; (c) all persons must have barrier-free access to full and equal participation in society, regardless of their disabilities; (e) laws, policies, programs, services and structures must take into account the disabilities of persons, the different ways that persons interact with their environments and the multiple and intersecting forms of marginalization and discrimination faced by persons.

CCRA, section 4(c): (c) the Service uses the least restrictive measures consistent with the protection of society, staff members and [people who are incarcerated].

CCRA, section 4(g): All correctional policies, programs and practices respect gender, ethnic, cultural, religious and linguistic differences, sexual orientation and gender identity and expression, and are responsive to the special needs of women, Indigenous persons, visible minorities, persons requiring mental health care and other groups.


CCRA, section 70: the Service shall take all reasonable steps to ensure that penitentiaries, the penitentiary environment, the living and working conditions of [incarcerated people] and the working conditions of staff members are safe, healthful and free of practices that undermine a person's sense of personal dignity.

**CAEFS Recommendations:** Incarcerated people have the right to live in an environment that is safe, healthful, and free of practices that undermine a person's sense of personal dignity. CAEFS encourages FVI to consult with the population on accessibility matters that impact the conditions of confinement as well as the health and wellbeing of people in their custody.

Thank you for taking the time to review this letter and for your continued efforts to improve the outcomes for individuals in your custody and care. CAEFS appreciates IMT's willingness to engage in dialogue with the people incarcerated at FVI to ensure the voices of those impacted are included in institutional decisions. CAEFS encourages FVI to continue collaborating with the committees at FVI to improve the conditions of confinement and create a penitentiary environment that is aligned with law and policy, and the Principles of Creating Choices.



Respectfully,



Brianna Bourassa  
Lead Advocate, Pacific Regional Advocacy Team, CAEFS

