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Re: CAEFS Regional Advocacy Visit, May 2025

This letter details the items at Nova that were reported to the Canadian Association of Elizabeth Fry Societies (CAEFS) Atlantic Regional Advocacy Team during our visits to NIFW in May 20-21, 2025. This letter also includes a summary of the discussion that took place during the meeting on May 29, 2024, relevant laws and policies, and CAEFS' positions. Thank you, and we look forward to your response.

Barriers to Accessing Day Parole and Broad Misunderstanding of Process

Description: We have received reports of people being told by their parole officers not to apply for day parole at the earliest possible dates, because they have not completed their programming. In some instances, people reported that they were told that they could not apply until programming was completed and in other cases people were told that they should not apply until their programming is complete because they would not be successful at their parole hearing.

Discussion: Management stated that people applying for parole do not need the Institutional Parole Officer's support or programming completed in order to apply. Expectations are that certain elements are completed for parole in accordance with the individual's correctional plan. Management emphasized that if an individual is sentenced to more than three years, the person would not apply at intake, but for those sentenced to three years or less, the parole application is given upon entry to the institution and most individuals apply then. Management encouraged individuals who are unsure of the application process to talk directly to staff to have those conversations.

Law & Policy:

CCRA S.4

(c) the Service uses the least restrictive measures consistent with the protection of society, staff members and [incarcerated persons] *sic*;

(c.1) the Service considers alternatives to custody in a penitentiary, including the alternatives referred to in sections 29 and 81;

(c.2) the Service ensures the effective delivery of programs to [incarcerated person] *sic*, 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 5 ...the Correctional Service of Canada, which shall be responsible for
 (b) the provision of programs that contribute to the rehabilitation of [incarcerated persons] *sic* and to their successful reintegration into the community;
 (c) the preparation of [incarcerated persons]*sic* for release;

CD 700 S.10(5)

Parole officers will facilitate the reintegration of [incarcerated persons] *sic* into the community at the earliest possible date while ensuring public and staff safety in all case management decisions.

CAEFS' Recommendations: Gradual release, in the form of conditional release provides individuals with the most effective opportunities to be successful in their reintegration. CAEFS encourages NIFW to work to support successful parole applications at the earliest possible dates to mitigate the harmful impacts of incarceration and promote timely reintegration back into community. CAEFS further encourages NIFW to encourage institutional parole officers to more clearly explain the parole process with incarcerated people with an emphasis on access to conditional release and sufficient release planning.

Access to Programs and Supportive Services in the Maximum-Security Unit

Description: Individuals in the maximum-security unit reported limited access to both leisure activities, volunteer programs and correctional programming. Several individuals have stated they feel “warehoused” with limited access to activities and programming, despite having expressed wanting to attend activities to progress with their correctional plan and reduce their security classification.

Discussion: Management stated that not everyone on the secure unit is able to come off the unit due to security concerns – however, they stated that there are attempts to offer meaningful work and other activities to productively fill time on the unit. There has been increased access to hobby craft access and an attempt to increase access of movement off unit, as well as more programs being offered more frequently on the maximum unit, including maximizing activities out of cell. Management also stated that video capacity has been arranged for individuals to be able to attend programs via video if they are placed in maximum security. This video attendance is not necessarily intended for an individual to attend a longer-term program from start to finish but more so for short term assignments (ex. Someone who has nearly finished a program who only has a couple weeks left or for a 12-week program vs. a full 40 week program), and is aimed to keep individuals on track with their correctional plan.

Management clarified that movement off the unit is assessed and stated that most people on the unit are level three and are therefore eligible to go off unit. Some are off more than others, and some have expressed no interest or desire in doing anything off unit. It was also stated that 90% of the individuals in the maximum security unit are followed by mental health services, which takes them off the unit fairly regularly.

Law & Policy:

CCRA S. 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 [incarcerated persons] *sic* and their reintegration into the community as law-abiding citizens through the provision of programs in penitentiaries and in the community.

CCRA S.4(c)

The Service uses the least restrictive measures consistent with the protection of society, staff members and [incarcerated persons] *sic*.

CCRA S.4(c.2)

the Service ensures the effective delivery of programs to offenders, 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 S.4(d)

[incarcerated persons] *sic* retain the rights of all members of society except those that are, as a consequence of the sentence, lawfully and necessarily removed or restricted.

CAEFS' Recommendations: Broad access to programs and services can be enhanced by increasing community engagement with people in the maximum-security unit. Given that the known determinants of success for federally sentenced women and gender diverse people are meaningful choice, holistic environment, treatment with dignity, and access to family, community, and opportunity, CAEFS encourages the CSC to avoid placement in the unit in all possible instances and to work to ensure there is broad access to programs and leisure activities for people who are held within maximum-security units.

Access to Parole Officers

Description: Individuals at NIFW reported experiencing challenges in both accessing and communicating with their Institutional Parole Officers (IPOs). Individuals reported writing requests to meet with their IPOs to discuss reintegration supports, but that these requests are often unanswered within the 15-day timeframe.

Discussion: Management stated that they have not recently heard about this issue, but that a reminder will be given to all staff on requirements and expectations. NMT stated that it is difficult to know how to resolve these reports without knowing the individual's names who are experiencing delays in accessing their IPOs. CAEFS representatives stated that some individuals are reluctant to provide their consent to release their name to NMT because they do not want to experience negative outcomes, and they have reported that they are reluctant also to use the redress system in case of negative reprisals.

Law & Policy:

CCRA S.5

- (b) the provision of programs that contribute to the rehabilitation of [incarcerated persons] *sic* and to their successful reintegration into the community;
- (c) the preparation of [incarcerated persons] *sic* for release;

CCRA S.5 10(e)



Parole officers will facilitate the reintegration of [incarcerated persons] *sic* into community at the earliest possible date while ensuring public and staff safety in all case management decisions.

CD 710-1 S.3

The Parole Officer will:

- (a) assist and support the [incarcerated person] *sic* in actively participating in meeting the objectives of their Correctional Plan
- (b) document all interactions, interventions, observations and assessments
- (c) maintain and update the Correctional Plan as per Annex D, in consultation with the [incarcerated person] *sic*
- (d) monitor the [incarcerated person's] *sic* behaviour and compliance with court-ordered obligations
- (e) inform the [incarcerated person] *sic* about their rights pursuant to sections 81, 84 and 84.1 of the CCRA
- (f) consider the provisions outlined in paragraph 26(1)(a) and/or subsection 33(3.1) or 134.1(2.1) of the CCRA for all Correctional Plan Updates for the purpose of preparing for release, where applicable.

CAEFS' Recommendations: CAEFS recognizes the work NIFW invests into facilitating gradual release for incarcerated people and encourages its IPOs to spend more time engaging with the people that they work with to ensure access to conditional release and sufficient release planning

Access to CAEFS Advocacy Workers – Maximum-Security Unit

Description: Several individuals reported on the challenges of accessing CAEFS Advocacy Workers (CAW) within the maximum-security unit. One individual reported that when they requested to speak with the CAW who is assigned to respond to requests in unit, a CSC staff member retorted that they cannot choose which CAW they meet with. This response caused confusion and created a barrier to accessing the support of the CAW. CAEFS stated that the assignment of tasks between CAWs was confirmed last Fall with a previous Acting Manager of Programs and that one CAW was assigned to respond to requests for support in the maximum-security unit.

Discussion: Management stated that they will follow up with the CAW assigned to respond to requests from the maximum-security unit. Further, NMT confirmed that they will communicate to staff to ensure that all people are aware that there is one CAW assigned to take requests from the maximum-security unit, and that visits will occur in the secure visiting room.

Law & Policy:

CCRA S.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 [incarcerated persons] *sic* and their reintegration into the community as law-abiding citizens through the provision of programs in penitentiaries and in the community.



CCRA S.4(c)

The Service uses the least restrictive measures consistent with the protection of society, staff members and [incarcerated persons] *sic*.

CCRA S.4(c.2)

The Service ensures the effective delivery of programs to [incarcerated persons] *sic*, 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.

CAEFS' Recommendations: Providing access to CAEFS Advocacy Workers is a pro-social option for people to learn about and uphold their rights while incarcerated. CAEFS introduced the Peer Advocacy program¹ in 2015 as a hybrid position that is institutionally recognized and with institutional pay provided by CSC. CAEFS encourages NIFW to increase access to CAW supports to individuals within the maximum-security unit.

Access to Translation and Interpretation - Impediments to Day Parole and Following Correctional Plan

Description: CAEFS representatives heard reports from a Muslim woman at NIFW that she is still unable to read and fully comprehend her correctional paperwork, go to school due to the lack of Arabic-language services at Nova.

The individual reported that her IPO told her that she is not eligible for day parole due to her “immigration status”, but it is her understanding that she should be eligible for parole sometime in the Fall 2025. Further, the individual was told by the instructor of the WEP program that she is ineligible to participate in the programs due to language barrier issues.

Discussion: Management confirmed that this individual is not eligible for day parole in Fall 2025 due to extenuating circumstances that could not be discussed at the meeting. NMT also stated that they will enquire as to why the individual is ineligible for WEP and follow up with CAEFS representatives. CAEFS' representatives stressed that this individual should have access to an interpreter when discussing issues with IPO regarding parole and all other matters related to her correctional plan.

Law & Policy:

CCRA S.27(4)

An [incarcerated person] *sic* who does not have an adequate understanding of at least one of Canada's official languages is entitled to the assistance of an interpreter

(a) at any hearing provided for by this Part or the regulations; and

(b) for the purposes of understanding materials provided to the [incarcerated person] *sic* pursuant to this section.

¹ At NIFW, the Peer Advocacy position was renamed, at the request of NIFW management, as the CAEFS Advocacy Worker.



CD 767 S.9(a)

ensure services and interventions are in line with paragraph 4(g) of the CCRA, specifically with respect to ethnic, cultural, religious, and linguistic differences, and are responsive to the needs of visible minorities and other groups, as they relate to the reintegration of ethnocultural [incarcerated persons] *sic*.

CAEFS' Recommendations: The inclusion of incarcerated people in decisions about their correctional programming and liberty is foundational to realizing the principles of Creating Choices and the purpose of the CSC. Ensuring that incarcerated people can read and fully comprehend their correctional plan, and reasons why or why not they are not eligible for parole is essential to rehabilitation and reintegration.

In closing and on behalf of CAEFS Atlantic Regional Advocacy team, I would like to thank the management team at NIFW for continuing to have open dialogue, investigating the reports we raise, and engaging in solutions orientated discussion wherever possible.

Respectfully,
Fiona Traynor
Lead Advocate, Atlantic Regional Advocacy Team, CAEFS

