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August 29th, 2025

Re: CAEFS Regional Advocacy Visit, June & July 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 June 24-25. This letter also includes a summary of the discussion that took place during the meetings on July 3, 2025, relevant laws and policies, and CAEFS' positions. Thank you, and we look forward to your response.

Access to Translation and Interpretation - Ongoing

Description: CAEFS representatives have been in regular contact with a Muslim woman at NIFW since the Fall of 2023 and although the individual's oral language skills have improved, she consistently reports that she is still unable to read and fully comprehend her correctional paperwork or understand why she is not eligible for day parole in Fall 2025. CAEFS last reported this issue to NIFW management in May 2025. At the June 2025 advocacy meeting with the individual, she reported again that her IPO told her that she is not eligible for day parole due to her "immigration status", but she does not fully understand the reasoning behind this barrier to day parole.

Discussion: Management stated that the individual is currently enrolled in WEP program after previously being told she could not enroll due to language barriers (see CAEFS advocacy letter dated July 21, 2025). While acknowledging that this is a positive change for the individual, CAEFS reiterated that translation/interpretation services have not been offered and there are elements of the issues around her potential deportation and lack of access to day parole eligibility that she does not understand. Management stated that there is a process around translation and interpretation and NIFW utilizes outside agencies to provide this service. Management offered that there is a translator that can be used but if that is not sufficient, they can make an appointment to have someone call in for translation services. Management also stated that the warden's assistant can also help with translation, but this option might not be sufficient to resolve the individual's understanding of the complex issues she is facing. CAEFS asked about the process for hiring an interpreter and whether or not NIFW acts in a proactive or reactive manner when incarcerated people, whose first language is not English or French, tell them that they do not understand written and/or oral information presented to them. Management stated that the process is reactive, that the individual should talk to her IPO and request translation services and that a member of the NMT will follow up the IPO to discuss accessing interpretation resources.

Law & Policy:

CCRA S.27(4)

An [incarcerated person] 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.

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].

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.

Physical Conditions of Confinement: Extreme Heat

Description: During the CAEFS advocacy visit in July, individuals brought up effects of extreme heat – lethargy, nausea, being generally overwhelmed by the heat and the hardship of not enough airflow in houses. CAEFS regional advocates asked management about two specific issues related to extreme heat: removal of window stoppers in the GP compound that only allows windows to be opened four inches and impedes airflow and cooling, and the installation of a cooling station.

Many people at Nova have continually reported to us that increasingly frequent instances of intense heat/humidity and lack of effective and broken fans are negatively impacting their well being during the summer months. We have received many individual reports about the intense heat/humidity and lack of effective cooling devices (whether those are fans or air conditioning).

Discussion:

Window Stoppers

Management explained that window stoppers were part of a project that was approved at the regional level two years ago that is no longer being pursued and the intention is to return to window screens and use of windows opening fully. Management has requested that window stoppers be removed but this is being met with resistance from facilities management due to the aforementioned regional project allowing a medium security institution to have four-inch window stoppers. Management also clarified that the facilities management department at NIFW is overseen by Regional Headquarters, and the decision to install window stoppers was not made at the institution level. Management made it clear that even though it is technically allowed to have the window stoppers, they are following up with the request to get approval to remove them at a meeting with regional managers in early August.



Cooling Station

Management stated that there is now a cooling station at NIFW in the V&C area (there are industrial fans in the maximum-security unit), temperatures are regularly monitored and that the plan of the cooling stations is enacted accordingly. When temperatures rose to 40 degrees in late July, the cooling station was opened and fans were installed in the V&C area. The plan provides access for half an hour to two living units at a time, on a rotational basis. Management acknowledged that this is not an air-conditioned space but is an environment with cooler air and fans. The general recommendation from management is that if anyone is feeling unwell, to let staff know, and staff were given a list from healthcare about persons who could be more impacted by heat (pregnant individuals, those with health conditions that the heat may exacerbate) and those individuals can go down to the cooling station whenever is needed. Further, management stated that they are looking into purchasing ice machines so individuals can cool themselves down, fill a cup with ice, add water to make a cold drink, etc. CAEFS asked if there is a timeline around these purchases and management stated that there is no definite purchase date. Management pointed out that the fountain in the V&C area dispenses cold water fountain and incarcerated individuals are encouraged to freeze face cloths to cool themselves down and staff have been told not to remove them.

Law & Policy:

Section 12 Charter of Rights and Freedoms: Everyone has the right not to be subjected to any cruel and unusual treatment or punishment

CCRA S.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

CCRR S.83(1) The Service shall, to ensure a safe and healthful penitentiary environment, ensure that all applicable federal health, safety, sanitation and fire laws are complied with in each penitentiary and that every penitentiary is inspected regularly by the persons responsible for enforcing those laws.

CAEFS Position: CAEFS acknowledges the steps that NIFW management have taken to install a cooling station at the institution. However, CAEFS notes that Creating Choices highlighted the importance of critical design features such as good air ventilation to promote healthy living when it was published in 1990. The effects of climate change are more critical now and the importance of including sufficient air ventilation and effective cooling options is imperative to supporting the health of people incarcerated at NIFW. CAEFS encourages NIFW to develop and implement increased high heat protocols that consider the rights, health, and wellbeing of the incarcerated population at the institution, in collaboration with appropriate public health authorities and incarcerated people, that is aligned with emerging community and national standards.

Access to Conditional Release - Escorted Temporary Absences – Cancelled

Description: CAEFS regional advocates told management that the cancellation of Escorted Temporary Absences (ETAs) has been reported to them previously and that at the July advocacy visit, several people reported short-notice cancellation of their ETAs. One individual reported that they were prepared and waiting to go out on a family-visit ETA but minutes prior to the scheduled departure, they were informed that the ETA was not going to proceed. This individual, and others, reported that cancelling ETAs is very distressing and disappointing, and creates confusion for



family members who are expecting visits; and the short notice ETA cancellation is especially distressing. Further, several people reported that they did not feel comfortable to file a complaint about the failure to provide the ETAs as they were concerned about retaliation from staff if they did so.

Discussion: Management stated that ETAs may be cancelled at the last minute due to staffing issues and acknowledged that incarcerated people are not always happy with these decisions. They stated that all cancelled ETAs are tracked and there is a process that if one is cancelled, they are made a priority and that staff overtime will be paid if necessary to facilitate these ETAs. CAEFS regional advocates asked if new staff will be hired to provide better access to ETAs. Management stated that staffing levels are currently better than previously with five more staff being hired in August.

Law & Policy:

CCRA S.3 The purpose of the federal correctional system is to contribute to the maintenance of a just, peaceful and safe society by...

- (a) carrying out sentences imposed by courts through the safe and humane custody and supervision...
- (b) assisting the rehabilitation of [people in prison] 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 [persons in prison];

- (c.2) the Service ensures the effective delivery of programs..., 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' Recommendation: Conditional release offers the strongest opportunities for successful reintegration. The Parole Board of Canada emphasizes that gradual, structured release—known as the continuum of release—is the most effective approach to community reintegration. Ensuring consistent access to ETAs is in alignment with CSC's reintegration mandate.

Conditions for Individuals During Search of Living Unit

Description: People from one GP living unit reported that when a search was conducted, they were instructed by NIFW staff to leave the unit while the search was ongoing. People were instructed to gather in an area in the yard and were told not to leave this spot. Of note is that this was during afternoon hours, it was a hot and sunny day, and the area people were instructed to gather had no shade cover from the sun. Incarcerated people reported being very hot, one person got a painful sunburn, and that generally that the conditions they were subjected to during the search were unhealthy and frustrating. The search lasted three hours wherein people were provided with water and those without accessibility needs were escorted to use the toilet inside the GP building. However, one person, who uses a wheelchair, was not provided with an escort to use the accessible toilet in Health Services, and thus could not use the toilet facilities for the entire time. The individual reported that this was a very difficult and painful situation to endure for the three hours.



Discussion: Management stated that this was the first time they had heard of this situation but typically, if the weather is bad (hot, raining etc.) individuals will be taken to the V&C area while the search is ongoing; or people can sit on their front deck (most which have an overhang providing shade). Management acknowledged that the living unit these individuals are housed in does not have an overhang providing shade. Management stated that they will look further into the circumstances around the search and why the person using a wheelchair was not provided with an escort to the accessible Health Services toilet.

Law & Policy:

Section 12 Charter of Rights and Freedoms: Everyone has the right not to be subjected to any cruel and unusual treatment or punishment

CCRA S.4 (c) the Service uses the least restrictive measures consistent with the protection of society, staff members and [incarcerated persons]...

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

CCRA S.86(1) The Service shall provide every [person in prison] with

- (a) essential health care; and
- (b) reasonable access to non-essential health care.

- (2) The provision of health care under subsection (1) shall conform to professionally accepted standards.

Accessible Canada Act 6 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; ...
- 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; ...
- g. the development and revision of accessibility standards and the making of regulations must be done with the objective of achieving the highest level of accessibility for persons with disabilities.

CAEFS' Recommendation: We encourage NIFW and the CSC more broadly to develop systemic approaches to protect incarcerated people from adverse conditions while searches of living units are ongoing. Providing shelter and relief from extreme heat is imperative to protecting incarcerated people from heat-induced distress. Further, it is imperative that NIFW and CSC more broadly address the needs of incarcerated people with disabilities, including standardized staff training on various accessibility standards so that people with disabilities are provided the same access to facilities and services as all other people within federal institutions.



Structured Intervention Unit (SIU)

Description: CAEFS met with an individual who reports being in the SIU for 62 consecutive days. She reports that while being held in isolation in the SIU she suffered adverse impacts on her mental health and her self-worth. She also shared that she had no contact with peers, outside agencies (including not being told that CAEFS was on site and available to meet with her on at least two occasions), that she was locked in her cell when visitors were in the maximum-security unit and that the Warden met with her once during her time in the SIU. The individual stated that she requested to be remanded to a federal institution while her charge, conviction and sentencing were being confirmed but did not understand that she would be placed in the SIU and kept under the conditions she endured while there. She reported that she was given access to telephone calls and her legal representative.

Discussion: Management stated that the individual she was never incarcerated in the SIU as she came to NIFW as a federally remanded “non-sentenced person”. Management stated that there are rules around non-sentenced persons which involve not being in contact with federally sentenced people. In trying to follow these rules, management stated that they were in touch with the NIFW legal team, the individual’s legal team and the court daily. The individual was incarcerated in the SIU as no other incarcerated persons were there. During this time, documentation was kept and they worked closely with their legal team. Further, when the individual’s charge, conviction and plea were confirmed, she was federally sentenced and then moved out of the SIU to the maximum-security unit. Management reiterated that she was not an SIU inmate and that the Warden visited her a couple of times.

CAEFS representatives told management that they had seen this person walking in the SIU yard on two previous advocacy visits (April and May, 2025) and had asked CSC staff to meet with the individual who was incarcerated in the SIU. CAEFS told the NMT that CSC staff told our representatives that the individual did not want to see or talk to us. When CAEFS representatives had the opportunity to meet with this individual at the PA Training (June 9-10, 2025) she told us that CSC staff never informed her that CAEFS was on site and was available to meet with her. Management agreed that the individual should have been entitled to meet with CAEFS as being a non-sentenced person should not have affected her access to outside services.

CAEFS reminded management that our organization arranged with NIFW on or around the Fall of 2023 that we intended to ask to meet with all individuals incarcerated in the SIU while we were on the maximum-security unit. Management agreed that this was an agreed upon plan but stressed that in this case, meeting with CAEFS in a program room would be very hard to make sure she doesn’t pass/come into contact with any sentenced individuals. CAEFS asked for clarification as to the laws, policies and rules that a federally remanded non-sentenced person is subject to and management stated that the rules of where she is incarcerated are in effect. Management provided CAEFS representatives with a memo regarding the rules around the incarceration and rights of non-sentenced individuals which we have attached to this letter.

Law & Policy:

CCRA S.3(a) The purpose of the federal correctional system is to contribute to the maintenance of a just, peaceful and safe society by carrying out sentences imposed by courts through the safe and humane custody and supervision of individuals.

CCRA S.4(c) The Service uses the least restrictive measures consistent with the protection of society, staff members and [incarcerated persons].



CCRA S.4(c.2) The Service ensures the effective delivery of programs to [incarcerated persons], 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.35 An individual in a structured intervention unit has the same rights as other individuals who are incarcerated, except for those that cannot be exercised due to limitations specific to the structured intervention unit or security requirements.

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 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' Recommendation: 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. CAEFS encourages the CSC to broaden its application of Creating Choices philosophies of empowerment, support, and person-centered care in its administration of the material conditions of incarceration and encourages avoidance of use of the SIUs in all possible instances.

Double Bunking

Description: CAEFS has received reports. that each living unit currently has at least one room that is double bunked and asked management for clarification on the plan to deal with the increased number of incarcerated people at NIFW

Discussion: Management stated that the population at NIFW has increased to a total of 109 individuals. They stated that there are currently two double bunk rooms in every house, and that Correctional Managers are communicating with incarcerated people that the number of double-bunked room could increase. Further, management stated that living unit residents are being encouraged to self-identify as to who will volunteer to double bunk. Management stressed that this is a Canada-wide issue with all federal penitentiaries being affected by increase population sizes.

Law & Policy:

CCRA Purpose and Principles

(g) 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 70 The Service shall take all reasonable steps to ensure that penitentiaries, the penitentiary environment, the living and working conditions of [incarcerated persons] and the working conditions of staff members are safe, healthful

CCRA 70 (7): Population management strategies must include single occupancy when feasible and ensure that double bunking remains a temporary accommodation measure.

Position: CAEFS encourages the CSC broadly to be responsive to the emotional and psychological impacts produced by physical conditions of confinement, especially double bunking women and gender-diverse people. People in prison maintain their constitutional right to dignity and have the right to live in a safe physical environment. Double bunking women and gender diverse people is widely experienced as a violation of a person's sense of safety and wellness which creates lasting adverse mental, physical and emotional impacts. CAEFS recommends that the CSC turn to decision making with a view towards alternatives to custody to lower the amount of federally incarcerated women and gender diverse people.

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

