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ANNUAL REPORT 2002-2003

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President's Report

June 2003

Dr. Ailsa Watkinson provided a summary of her activities for the year as the CAEFS' President. Her activities included a trip to Vancouver to meet with the Board of Directors of the Elizabeth Fry Society of Greater Vancouver, and a visit to the Burnaby Correctional Centre for Women in the fall. Ailsa also participated in the Inquest Working Group, along with representatives of the Council of Elizabeth Fry Societies of Ontario (CEFSO), the Elizabeth Fry Society of Sudbury, the National Anti-Poverty Organization (NAPO), the Women's Legal Education and Action Fund (LEAF) and the National Association of Women and the Law (NAWL). For more information regarding the details of the Inquest into the Death of Kimberly Rogers visit the following web site: http://dawn.thot.net/Kimberly_Rogers.

Prior to the February meeting of the Board of Directors, and along with the Past President and Executive Director, Ailsa also met with senior policy staff and the Minister, the Solicitor General of Canada.

This winter and spring there were a number of meetings and quite a bit of work on the development of CAEFS' submissions to the Canadian Human Rights Commission regarding the systemic review of the human rights violations experienced by federally sentenced women. The impetus for CAEFS' to seek and secure this review was the filing of a complaint by the Elizabeth Fry Society of Saskatchewan in 2000. After that, the Board decided that CAEFS should broaden the initiative to a national level and so the request for a systemic review and special report were made on International Women's Day, March 8, 2001.

CAEFS and other equality-seeking national groups formed a coalition to provide input regarding the systemic human rights investigation by the Canadian Human Rights Commission (CHRC). In addition to a February 7, 2003 presentation to the CHRC, on May 13, 2003, CAEFS and other national equality-seeking groups presented our written submissions to the Commission. We announced this the following day at a press conference on Parliament Hill. All of the written materials are available on the CAEFS' web site – www.elizabethfry.ca.

On May 14th, 2003, the same day as the press conference, the Correctional Service of Canada (CSC) was called before the Parliamentary Public Accounts Committee to report on the CSC's response to Chapter 4 of the Auditor General's Report. Lucie McClung, Nancy Stableforth and Larry Motiuk represented CSC at the hearing. In addition, many other CSC staff also attended the hearing. The Committee asked many questions and raised their concerns based upon the press releases they had received that morning from us and the other national groups. In her response to these questions, Commissioner McClung stated that, while she disagreed with CAEFS, CSC has an active and ongoing relationship with individual local Elizabeth Fry members. Ailsa raised the concerns that she and other Board members have regarding the manner in which this represents attempts by CSC to interfere with the strength of our organization by trying to divide the membership.

Ailsa further reported that, in her capacity as a member of the International Association of Schools of Social Work, she presented a paper she entitled, *The Second Coming*. The paper examines the current trend of the government to download responsibilities to community-based organizations, and the resulting increased reliance on faith-based organizations, particularly in the context of prison services and programs. In order to help publicize the cultural and religious biases inherent

in such programming, Kim and Ailsa will also present a paper at the Social Welfare and Policy conference in June 2003.

Ailsa thanked Kim for all her work this year and for the past 11 years and for her demonstrated commitment to capacity building within CAEFS and amongst community-based services, as well as women with the lived experience of criminalization. Ailsa also announced that Dawn McBride is retiring from the CAEFS' Board and thanked her for her mentorship and many years of dedicated service and leadership of CAEFS. Dawn will be greatly missed, but has agreed to continue on with CAEFS providing pro-bono services. Ailsa also thanked Paula King and the Elizabeth Fry Society of Simcoe County for organizing the CAEFS' AGM this year.

Treasurer's Report

Fiscal Year: April 1, 2002 – March 31, 2003

It is with pleasure that the Canadian Association of Elizabeth Fry Societies (CAEFS) is able to report to its membership that the fiscal situation continues to remain positive and stable. In addition to maintaining a steady increase in the level of honoraria and donations, thanks in large part to the efforts of our Executive Director, CAEFS was also the recipient of two Voluntary Sector Initiative grants.

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. In particular, we are pleased that issues pertaining to fiscal constraint have not been permitted to lessen our efforts on behalf of the criminalized women with and on behalf of whom we exist. Our challenge continues to be to reduce the proportion of resources that are spent on administrative and policy meetings, in order to maximize the resources, both human and fiscal, that are available for regional development and prisoner advocacy, policy and legislative reform.

We look forward to continuing to fulfill the mandate of CAEFS. A detailed accounting of our expenditures is available in our audited financial statements. In addition, the budget that is forecast for the coming year follows.

Cathie Penny
Treasurer
Canadian Association of Elizabeth Fry Societies

Canadian Association of Elizabeth Fry Societies
Budget 2003-2004

Revenues

Solicitor General Funding		451,808
Memberships		1,450
Registration - AGM		3,000
Donations - Corporate	9,000	
Donations - Other	<u>1,000</u>	
Donations Total		10,000
Interest Revenue		2,500
Consultant/Honoraria		1,000
<u>Total Revenues</u>		\$469,758

Expenditures

Advertising & Promotion		200
Annual General Meeting Expenses		45,000
Audit Fees		1,688
Board Expenses		33,000
Bursary Fund Allocation		149
Bank charges & interest		700
Child Care - Board & Staff		500
Contracts		14,050
Equipment Maintenance		6,000
Healing Lodge Allocation		10,000
Insurance		2,600
Memberships/Subscriptions		3,000
NGO & Government Liaison		250
Office Furniture/Equipment		2,000
Office Supplies		5,000
Postage & Courier		4,000
Printing & Photocopying		12,000
Regional Development		150,000
Rent		21,200
Telephone & Fax		15,000
Translation Expense		5,000
Payroll Expense:		
Salaries	97,000	
EI Expense	3,024	
CPP Expense	1,853	
Employee Benefits	15,200	
EHT	784	
WCB Expense	<u>2,360</u>	
Total Payroll Expense		120,221
Staff Expense:		
Staff Development	500	
Staff Recruitment	000	
Staff Travel	<u>17,500</u>	
Total Staff Expense		18,000
Volunteer Appreciation		200
<u>Total Expenditures</u>		\$469,758

Canadian Association of Elizabeth Fry Societies **Annual General Meeting - Barrie, Ontario – May 31, 2003**

Executive Director's Report

Priority Issues and Law Reform Initiatives

This year we had a number of opportunities to revisit the fundamental principles and values of our work, as well as to refresh our dreams and aspirations, as we collectively endeavoured to achieve our vision and to fulfill our mandate. As we embark upon our 25th year, we face the challenge that our work seems to be increasing rather than diminishing. As we dream of the day when organizations like ours no longer exist, because they are no longer needed, we continue to weather many challenges and experience significant gains. We continue to reflect upon the growth and strength of our membership and eagerly anticipate the possibilities that lie ahead of us. As we renew our commitment to our mandate and maintain our collective effort, we are buoyed, excited and inspired to strive for new potential. The following report will provide you with an overview of our challenges and achievements of this past year, as well as a glimpse at the work that the membership projects for CAEFS.

1. Challenges to Laws and Policies

a) Prisoner Voting Case

The Supreme Court of Canada released its decision with respect to *R.v. Sauvé* on October 31, 2002. In a 5:4 decision, the Court granted prisoners the right to vote. Unfortunately, however, the majority decided that they did not need to consider the arguments that we made with respect to the applicability of the section 15 equality provisions of the *Canadian Charter of Rights and Freedoms*. A copy of the decision may be obtained via the web site of the Supreme Court of Canada.

b) Proposed Intervention at the Supreme Court of Canada

Unfortunately, this winter, the Supreme Court of Canada refused leave to appeal to Sheri Pranteau, a young Aboriginal woman who, at the age of 21 years, was convicted of manslaughter and sentenced to life in prison. Much like the situation in the case of Lisa Neve, Ms. Pranteau was largely convicted on the basis of her personal writings (poems, letters, et cetera) illegally

seized from her cell while she was remanded in custody awaiting trial.

These writings were alleged to have linked her to gang activity, and it was largely on the basis of this alleged gang involvement that the conviction was anchored and the severe sentence imposed. Moreover, the basis for the conviction lay primarily in the evidence of one young man, who was not charged by the police once he agreed to testify. Although there was significant blood, DNA, footprint, and other material evidence obtained from the location where the victim was killed, none of it linked Ms. Pranteau to the man's death.

As you will recall, Lisa Neve's sentence appeal and appeal of her dangerous offender designation never made it to the Supreme Court of Canada, as it was overturned by the Alberta Court of Appeal. We had hoped to be able to raise a number of the same issues regarding racist and misogynist bias, reliance upon writings and assertions versus actions, et cetera, which were articulated by the three women justices of the Alberta Court of Appeal in Lisa Neve's case, but unfortunately were never sanctioned by the Supreme Court of Canada.

Although the Supreme Court avenue has now been closed to Ms. Pranteau, we continue to examine other avenues such as the Royal Prerogative of Mercy via an appeal to the Solicitor General and the Minister of Justice, pursuant to section 690 of the *Criminal Code of Canada*.

c) Systemic Review by the Canadian Human Rights Commission

International Women's Day, March 8, 2003, marked the second anniversary of CAEFS' complaint to the Canadian Human Rights Commission. This coming year, the Commission will issue a special report regarding the systemic review of the manner in which the human rights of federally sentenced women are violated. The report will address their findings and recommendations for remedying the human rights violations experienced by women prisoners as a result of the discrimination they face.

On March 8, 2001, the Canadian Association of Elizabeth Fry Societies (CAEFS) requested that the Canadian Human Rights Commission (CHRC) conduct a broad-based systemic review and issue a special report, pursuant to section 61(2) of the *Canadian Human Rights Act*, regarding the treatment of women serving federal terms of imprisonment. CAEFS' request was supported by twenty-seven other organizations. The Commission has decided to undertake a special report and issue recommendations to government based on its findings, addressing government policies and programs. This will take the form of a special report to Parliament. CAEFS will strengthen its capacity to influence government policy and legislation, with respect to criminalized women in Canada, by building a coalition of interested organizations to join CAEFS in informing the development of the Commission's special report.

The basis of the human rights complaint is the fact that federally sentenced women face discrimination throughout the criminal (in)justice system. This is particularly true of Aboriginal and other racialized women, as well as women with mental and cognitive disabilities. Accordingly, we have rooted our claim in the fact that all federally sentenced women are discriminated against on the basis of their sex, and that women who are racialized and women with disabilities are further marginalized and discriminated against in prison.

As part of the process of developing our submissions to the Canadian Human Rights Commission in relation to our complaint and request that the Commission conduct a systemic review and issue a special report with respect to the human rights violations experienced by women in prison, we consulted with the national women's, Aboriginal and social justice groups. We also be commissioned additional research and provided resources for as many groups as possible to make submissions directly to the Canadian Human Rights Commission.

On October 3rd and 4th 2002, CAEFS sponsored a consultation with national women's and equality seeking justice groups. Thereafter, thanks to the resources we obtained from Status of Women Canada and the Voluntary Sector Initiative, we were also able to distribute resources to a number of groups in order to enable them to develop submissions to the Canadian Human Rights Commission. Such groups as, Strength In Sisterhood (SIS), Womyn4Justice, Native Women's Association of Canada (NWAC), the Women's Legal Education and Action Fund (LEAF), the DisAbled Women's Network of Canada (DAWN), the National Association of Women and the Law (NAWL), Amnesty International, the National Council of Women of Canada (NCWC), the Canadian Federation of University Women (CFUW) and several other organizations have also provided input to the Canadian Human Rights Commission.

The submissions developed by all of the groups are of such a high quality, that we are also compiling them in a form that will allow them to be published and circulated together as a collection. University of Manitoba Law Professor, Debra Parkes, who contributed to the process on behalf of the National Association of Women and the Law (NAWL), will edit the book. Debra is also a member of the Board of Directors of the Elizabeth Fry Society of Manitoba. CAEFS' response to a discussion paper issued by the Canadian Human Rights Commission, as well as our submissions and those of other equality-seeking groups have been circulated electronically and are available on the CAEFS web site. In addition, one hard copy has also been distributed to each local Elizabeth Fry Society of the CAEFS' membership.

In addition to our processes, the Canadian Human Rights Commission organized a meeting on November 8, 2002, during which they discussed potential redress and accountability measures which they may recommend as remedial action in the special report regarding their systemic review of the discrimination faced by federally sentenced women on the basis of sex, race, and disability, at the hands of the Government of Canada.

On February 7, 2003, CAEFS, along with other national equality seeking women's and justice groups, presented our respective oral submissions to the Canadian Human Rights Commission. On May 13, 2003, we will submit our written briefs to the Chief Commissioner, Mary Gusella; and, On May 14, 2003, we will release the submissions publicly. We have also sent the Solicitor General, his Parliamentary Secretary, the Commissioner of Corrections and the Women Offender Sector at National Headquarters, the Correctional Investigator, women in prison and the CAEFS' membership copies of our submissions. In addition, all of the submissions will soon be available on our web site.

d) International Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)

CAEFS was invited by such international non-governmental organizations as the Feminist Alliance for International Action (FAFIA) and Amnesty International (AI) to provide input to their respective submissions to the United Nations Committee for the Elimination of Discrimination Against Women (CEDAW). In addition to participating in the development of written submissions for Amnesty International, the Feminist Alliance for International Action (FAFIA), and the National Association of Women and the Law (NAWL), CAEFS submitted an overview brief for oral presentation to the 23 members of the United Nations CEDAW Committee. These documents are available on the CAEFS web site – www.elizabethfry.ca.

In advance of Canada's official (Government) report to the CEDAW Committee at the United Nations in New York, CAEFS was pleased to be part of a small delegation of non-governmental women's organizations that met with members of the Committee to brief them on the reality facing women fighting for equality in Canada. Suffice it to say that the Committee used a number of our points in order to formulate questions for the Canadian delegation.

There were four women in our group and a total of seven women from non-governmental organizations across Canada, whereas there were more than thirty federal governmental representatives, as well as representatives from the provincial governments of British Columbia, Nova Scotia and Prince Edward Island. Although the CEDAW Committee was meeting at the United Nations in New York in January for over two weeks in order to review the records of other countries in addition to Canada, I only attended the proceedings for two days, our preparation day with the Committee on January 22, 2003 and January 23, 2003, when Canada was reporting and being questioned by the Committee. The meetings were extremely interesting and illuminating, and the experience will undoubtedly assist us as we plan the next stage of our human rights challenges on behalf of women prisoners.

Accordingly, the linkages with such national and international coalition partners continues to be strengthened and enhanced, as do discussions with respect to the development of a long-term action plan to anticipate and react to issues pertaining to women's imprisonment, to projected increases in the criminalization and imprisonment of women, access to justice issues for marginalized women, particular issues for poor, racialized and disabled women in prison, and issues regarding women who are both victimized and criminalized.

e) Inquest into the Death of Kimberly Rogers

As the current situation in British Columbia perhaps exemplifies most graphically, other provinces are observing the manner in which Ontario has reformed human services, and, worse still, are not only following suit, but eclipsing what previously were considered the most injurious and ruinous policies and practices. CAEFS must seriously examine the manner in which we may challenge regressive provincial social and criminal justice practices, policies and legislation.

During the Annual General Meeting of 2001, the CAEFS' membership directed CAEFS to seek intervener status in the inquest into the death of Kim Rogers. Perhaps the best, and certainly the most tragic, exemplification of the intersection of federal and regional, economic, social,

financial, health, and education issues, occurred in the death of Kim Rogers, a 40 year old woman with whom the Elizabeth Fry Society of Sudbury worked. Kim was under house arrest for 'welfare fraud'. In the interests of interfering in other similar situations -- before others die -- CAEFS will endeavour to ensure that the inquest into her death includes an examination of the broader issues regarding the context in which Kim was set up to fail by the criminal and social justice policies and practices to which she was subject.

In consultation with the Elizabeth Fry Society of Sudbury, the Council of Elizabeth Fry Societies of Ontario, the National Anti Poverty Organization (NAPO), the National Association of Women and the Law (NAWL), and the Women's Legal Education and Action Fund (LEAF), we worked collaboratively in efforts aimed at ensuring that the inquest did not exacerbate the tragedy of Kim's death. We attempted to ensure that the systemic issues that contributed to Kim's poverty, and, ultimately, her death, were fully examined during the inquest. We also worked to try to ensure that the recommendations of the inquest jury were as comprehensive as possible, in terms of recommending criminal and social legislative, policy and procedural reform.

We all tried to interfere with the draconian, destructive and, we believe, unconstitutional and therefore illegal practices, not only via this inquest, but by thoroughly examining and rectifying any exclusive language in service contracts, program eligibility criteria, sentencing and releasing conditions, and the like. These approaches are not only criminalizing the poor, but are sentencing them to destruction. We remain vigilant in monitoring, challenging, and therefore preventing further systemic entrapment of the sort to which Kimberly Rogers was subject. It would be unconscionable for us to do anything but continue the struggle against these and other attacks on the poor and criminalization of the most dispossessed.

The limitations placed upon the evidence that the CAEFS' Coalition was permitted to adduce at the Inquest directly impacted the nature of the recommendations that the jury made. Despite the fact that the role of the Coroner's Counsel, and consequently that of the Coroner too, were discharged in a biased manner, and while our recommendations with respect to the criminalization of poor people, particularly poor women with disabilities, were not well represented in the jury's final recommendations, we were pleased that our efforts to ensure that the inadequacy of welfare rights were addressed by the jury were realized. The recommendations of the jury that are perhaps seen as most significant are the ones pertaining to the need to increase welfare rates for all recipients, and the need to eliminate the ban on receipt of welfare and social services for those convicted of welfare fraud. For a thorough examination of the proceedings of the Inquest, please refer to the web site of the DisAbled Women of Ontario -- dawn.thot.net/Kimberly_Rogers/.

Since the completion of the Inquest, there has also been a fair degree of positive media with respect to the lack of action on the part of Ontario Government vis-à-vis the recommendations of the jury in the Inquest into the Death of Kimberly Rogers. Our hope was that public opinion would help to influence the Government to do the right thing despite their initial response that the recommendations would result in no changes to Ontario Works or social assistance policies in general. This reticence also apparently permeates the Coroner's office, as he has failed to even deign to respond to a complaint filed by CAEFS' counsel regarding the conduct of Coroner's Counsel throughout the Inquest and judicial review process.

Suffice it to say that our hope that the government will do the right thing has faded and we are focused on assisting with additional challenges. There is currently a court challenge pending on behalf of three welfare recipients who, after being convicted of welfare fraud, have been banned from receiving welfare or social services in the future. CAEFS has been approached by those involved in that case to consider intervening in order to raise many of the issues that we were seen as responsible for insuring were placed on the table at the Kim Rogers' Inquest.

Particularly in light of the lack of action on the part of the Ontario government to date as well as the similar actions of the government in British Columbia, it would seem important that CAEFS continue to challenge these policies. This was only reinforced when we were at the United Nations, where we heard the B.C. government representatives defending similar draconian social welfare policies in response to questions from the CEDAW Committee. The Committee had received an excellent report from women's groups in B.C. regarding the misogynist policies and practices that the new government has introduced.

The CEDAW, as well as other United Nations committees have recognized that the federal government, as representative of our nation state, has a responsibility, via its constitutionally enshrined spending power, to ensure Canada-wide compliance with our Charter and human rights, not to mention our international treaty obligations. Accordingly, it would be my recommendation that we investigate the possibility of seeking intervener status in this case. Bruce Porter, who represented the National Anti-Poverty Association in our Inquest coalition, has taken the lead on this intervention. He, as well as the LEAF representative, Kate Stephenson, and Jennifer Scott and Chantal Tie, the lawyers for the CAEFS' Coalition in the Rogers Inquest, have requested CAEFS' involvement. In addition, they have offered to serve as co-counsel in this matter should CAEFS decide to intervene with some of the other national groups.

2. Regional and National Advocacy

a) Closure of the Burnaby Correctional Centre for Women (BCCW)

When the Burnaby Correctional Centre for Women closes in 2004, federally sentenced women will be moved to the institution formerly known as the Sumas Community Correctional Centre for men. Our membership, as well as members of the West Coast Prison Justice Society and Strength in Sisterhood, have been advised by representatives of the Correctional Service of Canada that, not only would a fence be built around the Sumas Centre, but all of the security would be fortified and a segregated maximum security unit for women would also be built on site.

There is currently one federally sentenced woman classified as a maximum-security prisoner at BCCW. The numbers have been consistently low over the past 12 years that BCCW has housed federal and provincial women prisoners. This is precisely in opposition to the advice and encouragement that CAEFS has provided to CSC during our preliminary meetings regarding the fate of federally sentenced women in BC.

In light of the issues that we are raising before the Canadian Human Rights Commission, as well

as the relative success of the court action taken in Ontario to prevent the construction of the segregated maximum security unit in Kingston Penitentiary, CAEFS may wish to examine the possibility of working with other groups in order to influence, legally or otherwise, current plans for federally sentenced women in British Columbia. In particular, the plan to fortify the Sumas Centre seems like an obvious place to start with some sort of challenge prior to the commencement of construction.

b) Paucity of Minimum Security Beds Continues Unabated

The Isabel McNeill Minimum Security House remains open under the ever-present shadow of pending closure. As such, the uncertainty that this creates for both women imprisoned at the house, as well as the staff upon whom they rely, and the Elizabeth Fry Society in Kingston, continues. It is untenable to contemplate the closure of the only real minimum-security beds for federally sentenced women in Canada. It is our hope that a firm decision will soon be reached, so that all may proceed to develop the plans for moving forward.

The women who are currently imprisoned at the Isabel McNeill Minimum Security House continue to be interested in filing a lawsuit to prevent the house from being closed. Since some of the women are serving life terms of imprisonment, the issue is very significant for them, as well as all other federally sentenced women classified as minimum-security prisoners across Canada. Accordingly, at the request of the women at the Minimum House, CAEFS will continue to support their bid to remain at the Minimum House as well as their position that all women require access to minimum security placements that are similarly small, provide opportunities for women to leave daily for work and other steps toward community release.

CAEFS also remains of the view that we do not wish to support or see the construction of additional prison beds. In fact, CAEFS supports the closure of prisons. However, the paucity of minimum security beds for federally sentenced women and the lack of a plan on the part of the Correctional Service of Canada to remove fences in order to ensure that the 50% of federally sentenced women who are minimum security prisoners are actually accommodated in lower security settings, means that we are loathe to see closed the only 13 beds currently available across the country. CAEFS also remains focussed upon the importance of ensuring that the principles and recommendations of the Task Force on Federally Sentenced Women are met before any alternative is considered as a replacement.

c) Community Release Options

As those working in local communities and the regions are too well aware, there has been far too little progress on this front. Any work that the CSC is doing in this regard is fragmented and relatively uncoordinated. The efforts and interests of Aboriginal and other racialized groups, as well as the involvement of women with the lived experience, such as Strength in Sisterhood and their newest Kingston-based chapter, Womyn 4 Justice, are either sidelined, siloed or completely ignored. While some of our membership has been engaged in some districts and regions, this approach appears designed to build silos and divide efforts rather than encourage collaborative and inclusive initiatives across the country. The upcoming national meeting on the subject does not appear to be destined to improve this situation.

Particularly in light of the tremendous benefit that we have experienced from the rich exchange occasioned by the involvement of women's equality seeking, Aboriginal and social justice groups, including women with the lived experience of imprisonment, in our recent coalition work around the human rights review, CAEFS must continue to promote their full involvement in all future policy and program development activities. Our membership and these groups have worked collaboratively and they will continue to combine incredible enthusiasm, energy and very limited resources to achieve quite remarkable results. Since there remain insufficient community release options for women across the country, however, this continues to be a priority agenda item for the entire CAEFS' membership.

There is an incredible gender gap between the amount of resources devoted to traditional model of corrections and those that are specifically designed with, by and/or for women prisoners. Although the Correctional Service of Canada maintains that they have spent an inordinate amount of resources, time and energy attempting to meet the needs of women prisoners, the reality is that much of this 'wheel spinning' – has occurred largely because they have persisted in trying to adapt male programs to women prisoners.

Many academics and lawyers have reported that services need to be developed in conjunction with community-based, women-directed services, if there is to be any hope of them being successful. In addition, it is well recognized that a significant issue for women prisoners, and part of why they are one of the fastest growing prison populations in Canada (and around the globe), is that cuts to social programs and health care disproportionately impact women and children. As such, our organization and many others are increasingly encouraging Correctional Services to focus on the development of "capacity-based models of assessing the risk that community release poses to women prisoners".

What we mean by this, is that with the cuts to welfare that have been allowed to occur as a result of the virtual elimination of national standards in 1996 when the Canada assistance plan was repealed, has resulted in the province and territories being able to cut social services to the point that those who have historically been most marginalized are increasingly at risk. It is incontrovertible at this stage, that there are no provinces where welfare rates are actually adequate to support poor people.

In order to survive, most people, especially poor mothers who are the sole supports of their families, are required to obtain income by means that would be considered fraudulent if welfare authorities become aware of same. Some such behaviour is also considered criminal in and of itself. For example, if a woman sells her body at the end of the month to make her rent or feed her children, she may face the possibility of a "communicating for the purpose of prostitution" charge. Similarly, if she agrees to carry a package across the border, across the country, or across town, she may also face trafficking, importation or other similar sorts of charges. In addition, if she fails to report any additional income received, including debts (only people on welfare are required to declare debts and then have them counted as income), then she may also face a fraud charge as a result of investigations by welfare workers into such activities. As such, we have encouraged corrections to rethink the manner which they assess risks.

Corrections themselves have long recognized that women are predominately high needs, not high

risk, prisoners, in that they do not present a significant risk to public safety for the most part. We have encouraged corrections to examine the risk that the community poses to women and develop classification and risk assessment tools that are designed to assist women in being able to be held accountable for any criminal activity for which they need to be held accountable, while simultaneously allowing the women to access resources to limit the risks they face upon release, in order to assist their work towards successful integration in the community. Such a capacity-building model of risk assessment would necessarily identify the need to develop adequate housing, educational and vocational opportunities, as well as other opportunities to generate income, as priorities for women being released from prison.

d) Women Classified as Maximum Security Prisoners

The new segregated maximum security units in the women's prisons, managed in accordance with the management protocols that CSC is currently experimenting with provides the most recent example of regressive policy and practice with respect to CSC's "management" of federally sentenced women classified as maximum security prisoners. Although the CSC staff maintains that their lawyers have approved the draft protocol, it is our view that the proposed measures continue to constitute a violation of women's human rights, Charter protections and legal entitlements under the CCRA.

The treatment of women classified as maximum security prisoners amplifies the vital role and urgent need for our Regional Advocates to document extensively and obtain releases and all relevant documents regarding security classification, charges, punishments (especially the use of force and segregation) and transfers (especially involuntary and/or emergency transfers), the impact of CSC's policy regarding the placement of prisoners convicted of first and second degree murder in maximum security prisons for a minimum of two years, and any other matters involving the curtailing of women's liberty interests.

CAEFS is extremely concerned that the practices and the policies in the new maximum-security units not result in increased numbers of women being classified as maximum-security prisoners. This is a particular concern in the Ontario region, where, up until last year, as a result of the lack of maximum security designated prison beds, very few women – generally not more than one or two at any time – have been classified as maximum security prisoners. As with any prison construction, we know that the existence of such options generally creates a demand for same.

e) Mental and Cognitive Disabilities

Increased cuts to expenditures for social services, health and education throughout the country are contributing to the reality that women prisoners, in Canada and worldwide, are the fastest growing prison population. We know that increased numbers of young women with mental and cognitive disabilities, women who used to fill psychiatric and mental health facilities, are now increasingly being criminalized. Progressive trends of the past to de-institutionalize those with cognitive and mental disabilities have been subverted by resource depletion, attitudes and policies occasioned by the deficit dementia of the last decade. The result is that more and more people are literally being dumped into the streets.

Their attempts to survive, their attempts to self-medicate, their attempts to cope with their situations as well as the behaviour that then evolves from being in a situation where they are increasingly disenfranchised, have led to their increased criminalization and imprisonment. Once in prison, these women are considered difficult to manage and consequently spend a disproportionate amount of their time classified as maximum-security prisoners. This means that in addition to serving most of their sentence in the segregated maximum-security units in men's prisons, they are also most likely to be placed in segregation. They also tend to attract a number of psychiatric labels, and tend to be characterized by the Correctional Service of Canada as among the most difficult prisoners to manage by Correctional Services Canada.

One of the areas that corrections has devoted a significant amount of time, energy and resources, is in the area of developing mental health programs for women prisoners. The 'Dialectical Behaviour Therapy' (DBT) model that they have implemented is an adaptation of an outpatient model that originated in the United States, developed by Marsha Linehan. The model presumes that women participate on a voluntary basis. Obviously, this is not the case for women prisoners. Choice is a very malleable term in prison.

It is our view that most women are coerced into "choosing" to participate in such programs. Moreover, the women who have the most significant mental health disabilities are the least likely to participate in these programs. Furthermore, even for those women who may be assisted by these models while in prison, there is no follow-up for them once they are released from prison. And, the model may change the manner in which women think, but if they have no means of surviving once on the street, new thinking patterns may be largely irrelevant, and, as we are increasingly seeing, detrimental, to their survival.

In terms of the number of women who have histories of sexual and/or physical abuse, the Correctional Service of Canada has indicated that they are planning to develop new services for these women. Eighty-two percent of women prisoners serving federal sentences have experienced histories of physical and/or sexual abuse. The figure climbs to 90% when one considers Aboriginal women prisoners alone.

In 1995, the Correctional Service of Canada consulted with women's groups in order to determine how best to meet the needs of women who had survived histories of childhood and adult physical and sexual abuse. At that time, the commitment was made by Canadian Association of Sexual Assault Centres that they would ensure that services would be provided for all women who chose to access same, provided that women were able to access such services in confidence, and preferable in the community. The commitment was also made that if women prisoners could not access the community, because of the nature of their sentence (i.e. not being eligible for conditional release until a certain date) then sexual assaults centres and rape crisis centres could bring in women from the community to provide support groups on the inside. This could also occur even in situations where only one woman might want to access such a support group. It is our view, that because of the advocacy nature of many of these groups, the Correctional Service of Canada has chosen not to work with them.

Many of these women carry such labels as Fetal Alcohol Syndrome (FAS) or Fetal Alcohol Effect (FAE), as well as "borderline personality", "psychotic", "schizophrenic", et cetera. There

is no doubt that too many women are entering the federal prisons with significant needs. The Correctional Service of Canada is ill equipped to meet many of their cognitive and mental health needs. The result is that women with mental and cognitive disabilities are difficult for the prisons to manage, so they tend to be confined in the most isolated conditions, often in segregation. Such conditions of confinement only serve to exacerbate pre-existing and create new mental health issues. Certainly, extensive periods of isolation and the consequent sensory deprivation tend to create additional mental health issues for many women prisoners.

Ironically, it is an odious reality that the reflex of CSC to develop mental health services in prisons, is only serving to magnify the trend to increasingly criminalize women with mental and cognitive disabilities. Developing such services in prisons at a time when they are increasingly non-existent in the community is already resulting in more women receiving federal sentences. This trend will only likely snowball. The existence of services in prison will encourage the imposition of federal sentences on women in order to allow women to access services in prison that are not available in community settings. CAEFS must remain vigilant, however, as experiences are revealing that prisons are not treatment centres.

There is a recognized right at law for competent adults to refuse treatment. This constitutionally protected right is effectively removed for prisoners, especially those who are deemed to be in “treatment” in a “treatment centre”, such as the Regional Psychiatric Centre (RPC) in Saskatoon. Moreover, a prisoner patient who refuses treatment is regarded as inflating to a very significant level her criminogenic risk factors. Such realities, in turn, result in the tautology of further isolation and segregation, and heightened institutional adjustment and community integration challenges. The conditions of confinement to which too many of the women with significant mental and cognitive disabilities are subject, are extremely austere and too often constitute violations of their rights pursuant to the *Canadian Human Rights Act*, the *Corrections and Conditional Release Act*, and the *Canadian Charter of Rights and Freedoms*. Indeed, those who are able to access legal assistance frequently receives compensatory cash settlements in relation to abuse claims.

As the members in the Atlantic Region are well aware, there has been significant time and energy devoted to intervening in the especially problematic reality of the situation involving federally sentenced women segregated for most of their time within the segregated maximum security unit in the Springhill Institution. Extensive periods of time in segregation and the resulting isolation that they endure, combined with CSC’s experimentation with Dialectical Behaviour Therapy (DBT) have taken their toll in this regard.

This is perhaps most reinforced by the results of the recent opening of the Special Living Environment (SLE) in the Nova Institution. The SLE was touted as necessary in order to permit CSC to meet the needs presented by women who were previously imprisoned in the segregated maximum-security unit at Springhill Institution. Indeed, it was assumed by many that most of the women from Springhill would be accommodated in the SLE at Nova. While a number have been transferred to the SLE since it opened. To date, all of the women transferred to the SLE from the segregated maximum-security unit at Springhill Institution, as well as the new unit in Nova Institution, have been returned to the segregated maximum-security units. In addition to being a very alarming reality, this reality significantly underscores and heightens CAEFS’

ongoing concern with respect to the problematic circumstances created by CSC attempting to provide mental health services in prison settings.

f) Aboriginal Women Prisoners

Depending upon the day that a snapshot of correctional data is taken, 40% to 60% of women classified as maximum-security prisoners will be Aboriginal women. In addition, the vast majority will be women who have also been labeled as having mental and/or cognitive disabilities. Section 17 of the regulations of the *Corrections and Conditional Release Act*, include “social condition” as a category that correctional officers must assess when determining the security classification of prisoners. Social conditions include such things as whether or not the person has a bank account, where they lived prior to incarceration, what their family background is, whether any other members of their family/community have criminal records, what type of housekeeper they are, whether they have ever been involved in domestic violence without clear delineation between those who perpetuate and those who are the victims of such violence, whether their ethnicity is “problematic”, whether their sexual orientation is “problematic”, et cetera. As such, it is our view, as well as the view of many others, that the security classification process is blatantly discriminatory. We do not understand how the Correctional Service of Canada can maintain its view in the face of such clear evidence.

Sections 81 and 84 of the *Corrections and Conditional Release Act* have not been adequately implemented. Many Aboriginal communities are not in a position to take on section 81 or section 84 agreements without the requisite human and fiscal resources to enhance their capacity to adequately support all of the members of their communities. As the United Nations has repeatedly pointed out, Aboriginal people in Canada live in third world conditions. It is impossible to imagine how we can expect Aboriginal communities to undertake massive community development without resources. Accordingly, it is our view that significant resources need to be allocated to Aboriginal communities in order to counter the genocidal experience of so many Aboriginal women, children and men being criminalized and institutionalized in our prisons and jails.

By virtue of the *Indian Act*, the Government of Canada has direct authority over the lives of Aboriginal people in Canada. As such, as Professor Patricia Monture-Angus has articulated in her research for us surrounding the systemic review of human rights violations of women prisoners (a copy of which is available on the CAEFS’ web site for your information), the federal government has breached its fiduciary duty to Aboriginal women prisoners. The brief by the Native Women’s Association of Canada is also instructive in this regard (also available on our web site). CAEFS and the Native Women’s Association of Canada, as well as a number of other national organizations, have recommended that the Government of Canada compensate all women prisoners, and Aboriginal women prisoners in particular, for this breach of fiduciary duty. In addition, we have recommended that resources be allocated to enable Aboriginal women to contract with the resources they choose, in order to assist them in integrating into the communities of their choice.

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g) Federally Sentenced Women, Hepatitis C, HIV and AIDS

In March of 2003, the Prisoners with AIDS Support and Action Network (PASAN) released the final report of the results of their research regarding the needs of women in prison who are diagnosed with Hepatitis C, HIV and AIDS. The Executive Director of CAEFS was a member of the advisory committee for the project. Copies of the report have been circulated to the CAEFS’ member societies.

h) Conditional Sentences

On December 9, 2002, CAEFS was invited to appear before the Standing Parliamentary Committee on Justice and Human Rights to provide input into their review of conditional sentences. This review was conducted primarily with academics, so although the invitation came with extremely short notice and occurred while the Kim Rogers’ Inquest was in session, we did attend and provide input.

CAEFS’ submissions highlighted the need for adequate community resourcing in order to ensure that conditional sentences are effective as community-based sentences. Conditional sentences were introduced in 1996, the same year that the Canadian government eliminated the Canada Assistance Plan and the erosion of the necessary community resources needed in order to adequately supervise and support those serving conditional sentences.

CAEFS recommended that the committee consider the need to ensure, as part of the sentencing guidelines, the adequacy of individuals to actually be able to serve their sentences successfully without breaching conditions. We pointed out, for instance, that if someone is sentenced to house arrest for welfare fraud and is cut off from all manner of income, then necessarily they will likely breach and end up in jail, although they likely would have had no intention of doing so. Our recommendation included that there be an assessment particularly of the needs related to poverty, disabilities, threats of violence, et cetera, and that sentence administrators ensure that such services are adequate for all those who receive a conditional sentence of house arrest.

In light of the inappropriate use of the conditional sentences in cases involving misogynist violence including rape, we also encouraged the Committee to examine this entire sentencing

scheme through the lens of section 15 of the *Canadian Charter of Rights and Freedoms*, as well as the *Canadian Human Rights Act*.

i) *Youth Criminal Justice Act (YCJA)*

On April 1, 2003, the *Youth Criminal Justice Act* became law. If implemented as intended, the *Act* could mean a significant new direction for youth justice in Canada. Most young people self report behaviour that could result in their criminalization and those who are criminalized generally come into conflict with the law as a result of fairly minor and isolated incidents. Rather than dealing with offending incidents in a way that ensures a youth's continuation in the criminal justice system, CAEFS supports the proposals that are designed to improve the circumstances of marginalized youths within the criminal justice system.

We will be more likely to achieve societal goals of public safety and accountability through prevention, diversion and provision of services that meet the needs of youth than by the continued over use of incarceration for young people. Indeed, young people themselves repeatedly request that they have access toward services that promote treatment and rehabilitation. Obviously, for community-based social services and justice alternatives to succeed, both levels of government must be committed to providing the necessary resources for those services.

The YCJA recognizes the importance of extra judicial measures, such as warnings, cautions and referrals to victim-offender mediation and family conferencing, and encourages increased community involvement and responsibility toward young people via the utilization of Youth Justice Committees. Both the *Preamble* and the *Purpose and Principles* of the YCJA underscore the importance of the provision of appropriate interventions and services in order to promote the rehabilitation and integration of young people into society.

CAEFS remains concerned, however, about an erosion of the legal protections currently afforded young people pursuant to the provisions of the *Young Offenders Act*. For instance, section 56 of the YOA recognized the importance of addressing the vulnerability of young people in relation to police by requiring that special provisions apply before a youth's statement may be considered admissible in court. The previous version of the YCJA would have allowed the admission of an otherwise inadmissible statement if a judge determined that its admission would not bring the administration of justice into disrepute.

We recognize the reflex of attempts to distinguish between the treatment of youth who are labelled as violent and the majority of young people who come in contact with the law on fairly minor matters. Indeed, as the most recent statistical data and analyses reveal, however, media depictions and public attitudes are not reflective of the reality.

On the whole, we believe that the test outlined in the YCJA for the triggering of an adult sentence might prevent some of the transfers, particularly of young Aboriginal women. However, we object to the "three strikes" approach promoted in paragraphs 62(a) and 2(1) of the Act, which stipulate that once a judge has designated two offences as "serious violent offences," a third such offence will trigger a presumptive move to adult court. In addition to carefully

circumscribing the occasions when youths will be subjected to an adult sentence, we believe the Act should include an explicit statement that dangerous offender proceedings will not be an option that may be considered for youth.

Since existing programs and services are inadequate to address the needs of young people or the protection of society, the first priority must be to address such service or programming deficits. Provinces and territories must be encouraged to develop more gender-specific and culturally appropriate services and programs for young people. Too frequently, services and programs, which do exist, are ill equipped to deal with such intersecting issues as gender, race, class and sexual orientation. More community-based dispositional options and fewer custodial beds should exist throughout the country for all youth, but the need is particularly acute for young women.

Rather than resort to the "adult" criminal justice context at ever-earlier ages, CAEFS supports the development and enhancement of youth-positive community-based dispositional options, as well as the development of improved educational programs and services, particularly in community settings. CAEFS is particularly concerned about the paucity of community-based and therapeutic alternatives for young people in general and young women in particular. Accordingly, CAEFS supports the enhancement and development of high quality supportive services and assistance for children, youth and adults alike -- from universal and enriched health, childcare and educational opportunities to effective gender, anti-poverty and anti-racism and conflict resolution programs. For young women in particular, women-centred approaches are required. Because of their relatively low numbers in comparison to those of young men in the youth justice system, their specific needs are often ignored or at best subsumed by those of young men.

The youth justice system must not remain the catchall for other systemic inadequacies. Young people are best served by supportive and proactive interventions, as opposed to the punitive and reactive types of approaches characterized by and endemic to criminal justice responses. Within the criminal justice system more specifically, CAEFS reiterates that we believe much more emphasis needs to be placed upon the creation of community-based alternatives for young people.

Providing supportive and empowering services to young people at the time of their first contact with the youth justice system generally reduces the likelihood of future "criminal" involvement. A caveat, of course, is that if such services are present only in the youth justice system, it is likely that more youth will be caught in ever wider, deeper and stickier nets of social control and more young people and youthful behaviour will be criminalized. Accordingly, CAEFS reiterates the need for cost-sharing agreements to prioritize the development of preventative and proactive approaches within the social service, child welfare, educational, medical and mental health systems as well as the youth justice system.

In addition to more traditional training approaches, CAEFS encourages the involvement of young people themselves, as well as front line workers in the development of professional and practical training programs as well as in the development of the services and programs. We endorse the efforts of groups such as Justice for Girls in Vancouver and the National Youth in Care Network. Supporting the efforts of these and other young people to define issues and design youth-directed

approaches to addressing their concerns are crucial to the success of any legislation, policies or services designed to address the needs of youth.

3. Decriminalizing Women with Mental Health and Cognitive Disabilities

Many bureaucrats, prison staff, academics and others involved with criminalized women, recognize the importance of working to extricate those with mental health and capacity issues from the criminal justice and penal systems. It is well recognized that the criminal justice context is not the appropriate venue to address the social, health and educational needs of men, women or children. Accordingly, there is considerable support for the work that CAEFS is undertaking with respect to our long-term strategy vis-à-vis those with mental health and capacity issues.

Thanks to the sponsorship of the Secretariat of the Department of the Solicitor General, CAEFS was able to access resources via the Voluntary Sector Initiatives Program, to review and document the manner in which our membership accommodates women with mental health issues. Dr. Shoshana Pollack and other women with expertise in respect of women's mental health services and the availability and accessibility thereof to criminalized women, assisted us in this endeavour.

This research involved a survey of the resources provided by the CAEFS' membership, as well as chronicling the nature of service and advocacy referrals made by the membership in circumstances where internal resources do not exist. As such, the results of the survey provided us with an overview of the capacities and challenges of our network in relation to meeting the needs of criminalized women with mental disabilities.

In response to the mental health and cognitive disabilities faced by the women with and on behalf of whom local Elizabeth Fry Societies (there are currently 24 autonomous societies) work, CAEFS' membership has developed capabilities to meet the needs of the women who seek their assistance. This project provided an opportunity for CAEFS to collect and review the information about the nature of these capabilities and programs, what approaches are being used, how needs are being met, and how local community support agencies are involved.

The project also provided CAEFS with the ability to have this data analyzed and recommendations were developed based upon the information collected. The recommendations were anticipated to also provide useful materials to assist CAEFS in advising the Correctional Service of Canada as to how they might adjust, modify or rethink their mental health strategies for women prisoners.

CAEFS' circulated the results of the survey of the CAEFS' membership, a copy of which was previously submitted and which also appears in French and English on the CAEFS' web site [www.elizabethfry.ca]. On November 1, 2002, members of the Board of Directors of CAEFS met with senior managers of the Correctional Service of Canada and the National Parole Board to initiate a process of consultation with respect to the survey findings and recommendations.

Following that meeting, CAEFS re-circulated the survey findings to its membership and to other community and governmental partners. In addition, the Deputy Commissioner for Women, Nancy Stableforth, agreed to circulate the survey amongst the Provincial and Territorial Heads of Corrections at a meeting in November 2002. She also undertook to discuss the possibility of CAEFS' participation in future meetings in order to further the dialogue and discussion regarding issues pertaining to women who are at risk or have been criminalized as a result of their mental health issues.

The results of our mental health survey have now been circulated to federal, provincial and territorial heads of corrections for consideration. They have also been placed on our web site, where they appear in both French and English thanks to the translation assistance of the Correctional Service of Canada. In addition, we are continuing our efforts to examine and develop legal arguments in order to assist women who are at risk of being criminalized, as well as those who are already incarcerated, and those whose release options are limited as a result of the lack of community resources to assist them with their mental and/or cognitive disabilities.

CAEFS also undertook to seek further resources in order to continue additional research with respect to identifying potential avenues for preventing women with mental and cognitive disabilities from becoming irretrievably ensnared in the criminal justice system. The Women Offender Sector and the NPB are similarly interested in strategizing regarding the best manner in which we all may collaborate in order to work on encouraging the development of local and provincial mental health resources for women with and on behalf of whom we work.

In addition, preliminary meetings and discussions with members of the Strategic Operations Directorate of the Department of the Solicitor General of Canada, Status of Women Canada, Health Canada, Justice Canada, Indian and Northern Affairs Canada, the National Crime Prevention Centre, academics, mental health practitioners, and various women's and disability groups indicate a high degree of interest in continuing to work on some long term strategies to address the increased criminalization of those with mental and cognitive disabilities.

Accordingly, our work continues regarding the development of a framework for intervention as well as practical intervention strategies. We anticipate that such strategies will be adopted by our membership, as well as by others working within the criminal justice and mental health systems. Intervention tools will be aimed at ensuring that those with cognitive and mental disabilities have access to necessary supports and services. By so doing, we aim to ensure that more women are not re-victimized by unnecessary criminalization.

An additional component of this work that was highlighted as a result of CAEFS' intervention in the Inquest into the Death of Kimberly Rogers is the need to link the work undertaken in this project with the efforts of social service and health advocates. By developing more comprehensive strategies with those active in the development, delivery and impact analysis of such broader agenda, CAEFS is building its organizational capacity to address the needs of marginalized women who are at risk of new or further criminalization and imprisonment, while simultaneously building the knowledge-base and capacity of other community-based service delivery, academic and policy-making bodies to identify and address the needs of criminalized women with disabilities.

Since the survey results were posted on the web site, this project has attracted the attention of advocates, service deliverers and policy makers in Canada and has also received international recognition. Individuals and groups in the United States and Australia have shown the highest degree of interest in our work. Many have requested additional copies of the survey results. In short, the resources allocated to this project have permitted CAEFS to commence what will undoubtedly be a long-term strategy to address the increased intersection between mental health and criminal justice issues. CAEFS is committed to developing strategies designed to extricate women and girls from the system and looks forward to working with many potential governmental and non-governmental partners to achieve this goal.

In addition to the DisAbled Women's Network of Canada (DAWN), there are a growing number of national and international women's, disability and psychiatric survivor groups who are interested in pursuing arguments for the enhancement of community based health services for individuals with cognitive and mental disabilities. There are also a growing number of lawyers who are interested in developing legal arguments with respect to the issues that we have been discussing in terms of the increased criminalization of those who are most marginalized and oppressed.

One argument that seems to have captured a fair degree of interest from several legal academics and practitioners is the notion that if the options available to individuals are so limited that they essentially amount to a choice to commit an offence and face the prospect of conviction and possible imprisonment or face homelessness, death or some other equally invidious option, then such individuals really have no ability to exercise a choice to commit or not commit an offence. It is our view, and one that is shared by many lawyers, that these realities serve to undermine basic notions of what amounts to criminal conduct and, in particular what the legal preconditions are for an offence to have been deemed committed.

There are two fundamental elements to the commission of an offence, which must be proven beyond a reasonable doubt before someone may be convicted of a criminal offence. These are, the *actus reas* and *mens rea*. To be proven, the trier of fact in a case must show tat the alleged illegal act actually occurred in order to establish the *actus reus*. The other element that must then be proven is the *mens rea*, namely, that someone driven by criminal intent committed the act. Both elements must be proven beyond a reasonable doubt in order for someone to be convicted of a criminal offence.

In situations where people have virtually no other options, other than the commission of an offence, homelessness, or starvation/death, they are left with virtually no free will, as their choices do not enable them to choose other opportunities that permit survival, let alone allow the person to thrive as a contributing member of the community. As such, we think it is quite arguable that, increasingly, we are seeing people being criminalized for whom there are really no other options in terms of how they may survive in our communities.

If such arguments are successful, we may see some significant changes in the nature of who is criminalized, for what reasons, and in which circumstances. Accordingly, we will continue our efforts to educate members of the legal profession, as well as academics and practitioners in

terms of these realities, in the hopes that we may soon see some successful legal challenges and corresponding changes in the criminalization patterns of the women and girls with and on behalf we work.

4. Conferences and Public Education

a) Winnipeg LEAF Breakfast

On October 25, 2002, the Executive Director addressed the 900+ that attended the Winnipeg LEAF Breakfast. A copy of her comments is available on the CAEFS' web site. The Women's Legal Education and Action Fund (LEAF) chapters across Canada host these breakfasts to commemorate the October 18th anniversary of the success of the Person's Case, the case where women were declared persons for the first time in Canadian law. The funds raised from these breakfasts help support the national organization's legal and public education activities in pursuit and support of women's equality.

b) *What Works Conference*

Vicki Chartrand represented CAEFS at the What Works Conference. The conference focused on the programs and research that the Correctional Service of Canada has developed.

c) *Youth Criminal Justice Act (YCJA)*

The John Howard Society of Canada and Justice Canada offered an excellent training opportunity for CAEFS' membership regarding the implementation of the *Youth Criminal Justice Act*. A highlight of the conference was the opening by Jerome Miller, whose decarceration of boys in the 1970s in Massachusetts is now legendary. CAEFS organized several of the workshops regarding the particular issues of young women and girls. Forty Elizabeth Fry staff and volunteers participated in the conference and all reports have been extremely positive about the value of the conference content.

d) *WISPAR - Women Internationally Strategizing to Prepare an Agenda of Resistance*

The WISPAR (Women's International Strategizing to Prepare Agenda for Resistance) meetings in Australia were extremely exhilarating and intellectually energizing. In addition to discussing such issues as the foregoing analysis of criminal intent and the increased criminalization of women throughout the world, we had some very helpful discussions about the manner in which the human rights complaint that CAEFS has launched might be adapted and utilized in other jurisdictions.

In addition, we are extremely excited to know that Dr. Angela Y. Davis is in the process of publishing a booklet that she has currently entitled, *is Prison Obsolete?* This booklet examines the arguments that are currently being made for the continuation of the use of imprisonment, and compares them with those that were mounted prior to the abolition of slavery, in support of the continuation of slavery, in the United States. The parallels are extremely telling and, we hope,

prophetic in terms of the future of penal abolition work.

e) International Women's Week

At the end of February and the beginning of March of this year, the Executive Director of CAEFS spoke in Ottawa, North Bay, and at several colleges, Simon Fraser University, the University of British Columbia and a number of community events organized by the member Elizabeth Fry Societies in British Columbia.

f) Lawyers, Judges and Academics

In addition to guest speaking engagements at a number of universities and various other legal and social justice fora across Canada, the Executive Director also provided keynote and/or plenary addresses to clinic lawyers for Legal Aid Ontario, the Law Society of Upper Canada, the Ontario Association of Provincial Court Judges this year.

g) Elizabeth Fry Week

In addition to an updated posting on our home page, the CAEFS' membership received copies of the updated facts sheets and material introducing National Elizabeth Fry Week. The week was announced in the House of Commons on May 5, 2003. Copies of the introductory information and fact sheets were sent to Members of Parliament, the Senate of Canada, as well as members of the media and other social and criminal justice partner organizations.

CAEFS continues to challenge Canadians to reach behind the walls and welcome women into our, and their, communities, so that they may take responsibility and account for their actions in ways that enhance our national, provincial and local commitment and adherence to fundamental principles of equality and justice.

For copies of CAEFS' position papers or additional information, please visit the CAEFS' home page at <http://www.elizabethfry.ca>, telephone us at (613) 238-2422, or fax us at (613) 232-7130.