

CAEFS' 2001-02 Annual Report

President's Report

June 2002

It is with a great deal of pride and some regret, that I write this, my last President's Report for the Canadian Association of Elizabeth Fry Societies. As I reflect back on our accomplishments, as well as our many challenges during my tenure, I am struck by the ongoing and prevailing examples of the strength and commitment of our network to the issues that face women prisoners in this country. The roots of our network are strong and firmly implanted in our communities. The strength of this anchoring to our communities is evident in all of the work we do, particularly that which is carried out by the CAEFS' office. It is testament to the work and strength of our organization that the many volunteers, members, staff and supporters of the Elizabeth Fry network show unprecedented, energy, knowledge, and commitment to social and criminal justice issues.

There are many issues with which CAEFS is involved on a daily basis throughout the country. The range of services from early intervention work with young people who are identified as being at risk of being marginalized in our communities is extremely important and vital to forming a foundation for many of the other activities with which we are involved. Likewise, the public education and community development work with which our membership is engaged provides the bedrock for the diversionary and community reintegration efforts that provide the very visible and most challenging aspects of our work with criminalized women. In short, from coast to coast across this great nation, our membership is involved in services that range from early intervention and preventative work, to intensive work with those who have been the most brutally victimized by and in our legal system.

This year, we will see the further movement of CAEFS onto the international stage, as we conclude the work on our systemic Human Rights Complaint on behalf of all women serving federal sentences. In addition, the very important research that we are conducting with respect to the criminalization of women with mental and cognitive disabilities will also be moved forward. Both of these efforts will not only positively impact the circumstances of women serving the sentences of two years or more of imprisonment, but the ramifications of this work will also be applicable to those women who are serving provincially administered sentences of less than two years. In particular, by holding the Canadian government to the legal standard that it has set for itself by virtue of the *Canadian Human Rights Act* and the *Canadian Charter of Rights and Freedoms*, the Provincial and Territorial Governments will also be put on notice and future challenges may also come their way. Some of this will more immediately achieved by the anticipated involvement of CAEFS in the inquest into the death of Kimberly Rogers, the 40-year-old pregnant women who died in her apartment, which became her prison as a result of her conviction for fraud. While we will attempt to ensure that community based sentencing options are not only continued, but expanded, for women, this inquest will also provide an opportunity for CAEFS to continue to enhance our call for the decriminalization of such ridiculous notions as "welfare fraud".

We also hope that this coming year will finally see the closure of the segregated maximum security units for women that are currently in place in the men's prisons. This will not end our work, however, as we will undoubtedly remain vigilante to ensure that the situations for women in the regional prisons, both those classified as minimum and maximum-security prisoners, enjoy a quality of life commensurate with their legal and policy entitlements. Finally, our efforts to ensure that women may actually be integrated into the community following their terms of imprisonment will remain a challenge to which our network has very enthusiastically and ably responded. In summary, as we head into this next year, I am confident that I leave the Presidency of this organization at one of its high points. Despite an ever-increasing encroachment on progressive thinking in this country, our vision and direction remain clear and unsullied by political or economic pressures to alter our very important mandate. We remain united and clear in our advocacy and our determination to ensure that we do indeed work with and on behalf of criminalized women and girls.

Congratulations to all of you and many thanks for a wonderful experience as President of the Canadian Association of Elizabeth Fry Societies. I would like to express my personal thanks to Kim Pate for all of her support over the years. Kim has taught me so much about what total and true commitment means. Most importantly, her knowledge, advocacy and persistence means so much to the women she works with who often are let down by so many. It has been my pleasure working with you Kim, and I know you won't hesitate to knock at my door should I be able to assist CAEFS in the future.

Treasurer's Report

Fiscal Year: April 1, 2001 - March 31, 2002

It is with great 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 has also been 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 whom, and on whose behalf 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, with and on behalf of women and the justice system, particularly criminalized women. A detailed accounting of our expenditures is attached, in our audited financial statements. In addition, the budget that is forecast for the coming year is also attached. The membership will be pleased to note, that the budget for the fiscal year 2002-2003 includes approximately \$285,000.00 raised by our Executive Director through the Voluntary Sector Initiative Grant Program.

Cathie Penny
Treasurer
Canadian Association of Elizabeth Fry Societies

Auditor's Report

To the Members of
the Canadian Association of Elizabeth Fry Societies

We have audited the statement of financial position of The Canadian Association of Elizabeth Fry Societies as at March 31, 2002 and the statements of operations and changes in fund balances for the year then ended. These financial statements are the responsibility of the Board of Directors. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with Canadian generally accepted auditing standards. Those standards require that we plan and perform and audit to obtain reasonable assurance whether the financial

statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statement. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation.

In our opinion, these financial statements present fairly in all material respects, the financial position of the Organization as at March 31, 2002 and the results of its operations for the year then ended in accordance with Canadian generally accepted accounting principles. As required by the Canada Corporations Act, we report that in our opinion, these principles have been applied on a basis consistent with that of the preceding year.

2002-2003 Budget

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>Designated</u> Human Rights Complaint	200,000
<u>Funds</u>	
Mental Health Research Project	85,000
Centre Against the Sexual Exploitation of Youth	13,761.55
<u>Total Revenues</u>	\$768,519.55

Expenditures

Advertising & Promotion	200
Annual General Meeting Expenses	42,000
Audit Fees	1,688
Board Expenses	30,000
Bursary Fund Allocation	149
Bank charges & interest	700
Child care – Board & Staff	500
Contracts	19,250
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		175,000
Rent		16,000
Telephone & Fax		15,000
Translation Expense		5,000
Payroll Expense:		
Salaries		80,000
EI Expense		3,024
CPP Expense		1,853
Employee Benefits		13,200
EHT		784
WCB Expense		<u>2,360</u>
Total Payroll Expense		101,221
Staff Expense:		
Staff Development		500
Staff Recruitment		000
Staff Travel		17,500
Total Staff Expense		18,000
Volunteer Appreciation		200
<u>Designated</u> Human Rights Complaint		200,000
<u>Funds</u>		
Mental Health Research Project		85,000
Centre Against the Sexual Exploitation of Youth		13,761. ⁵⁵
<i>Total Expenditures</i>		<i>\$768,519.⁵⁵</i>

Statement of Operations for the Year Ended March 31, 2002

	<u>2002</u>	<u>2001</u>
Revenue		
Solicitor General of Canada	\$ 451,807	\$ 451,807
Conference Funding	208,954	0
Mental health research project	10,896	0
Human Rights Complaint	5,607	0

SEYC	5,972	0
Donations	12,975	20,713
Interest and miscellaneous	13,395	7,670
Dues and registrations	5,911	6,452
Expense reimbursement	<u>20,025</u>	<u>17,299</u>
	<u>735,542</u>	<u>503,941</u>
Expenditures		
Regional development	150,000	170,000
Salaries and benefits	103,611	94,647
Travel and meetings	129,356	126,329
Conference expense	205,321	
Professional fees	1,397	1,397
Reproduction	7,442	9,218
Telephone	16,180	13,910
Rent	16,001	16,413
Office and postage	6,627	3,438
Office maintenance	10,872	11,341
Amortization	2,660	2,033
Insurance	3,533	2,931
Subscriptions and memberships	3,033	1,763
Translation	0	2,902
Healing Lodge Allocation	11,406	11,177
NGO and government liaison	0	285
Consulting fees	29,512	28,174
Reimbursable expenses	8,881	1,009
Mental health project expense	10,896	0
Sponsorship of Centee Against Exploitation of Youth	5,972	0
Human Rights Complaint	<u>5,607</u>	<u>0</u>
	<u>728,307</u>	<u>506,050</u>
Excess of expenditures over revenue (expenditures over revenue)	<u>\$ 7,235</u>	<u>\$ (2,109)</u>

Statement of Financial Position as at March 31, 2002

ASSETS

2002 2001

Current		
Cash	\$ 45,846	\$ 16,455
Term deposits	100,247	100,986
Accounts receivable	24,753	18,450
Prepaid expenses	<u>3,169</u>	<u>0</u>
	<u>174,015</u>	<u>135,891</u>
Designated funds		
Cash and term deposits	7,824	7,054
Cash - conference	<u>5,190</u>	<u>0</u>
	<u>13,014</u>	<u>7,054</u>
Capital assets		
Furniture and equipment	19,328	13,920
Accumulated amortization	<u>12,767</u>	<u>10,107</u>
	<u>6,561</u>	<u>3,813</u>
	<u>\$ 193,590</u>	<u>\$ 146,758</u>

LIABILITIES AND FUND BALANCES

Current		
Accounts payable and accrued liabilities	\$ 39,103	\$ 9,379
Deferred revenue	<u>9,104</u>	<u>0</u>
	<u>48,206</u>	<u>9,379</u>
Fund balances		
Operating fund	137,560	130,325
Desinated and restricted funds	<u>7,824</u>	<u>7,054</u>
	<u>145,384</u>	<u>137,379</u>
	<u>\$ 193,590</u>	<u>\$ 146,758</u>

Approved by the Directors:

_____, Director

_____, Director

Statement of Changes in Fund Balances for the Year Ended March 31, 2002

	<u>2002</u>	<u>2001</u>
Operating Fund		
Balance, beginning of year	\$ 130,325	\$ 132,434
Excess (Deficiency of revenue over expenditures)	<u>7,235</u>	<u>(2,109)</u>
Balance, end of year	<u>\$ 137,560</u>	<u>\$ 130,325</u>
Designated and Restricted Funds		
Bursary Fund		
Balance, beginning of year	\$ 1,050	\$ 959
Donations	<u>2,770</u>	<u>1,591</u>
	3,820	
Expenditures	<u>(2,000)</u>	<u>(1,500)</u>
Balance, end of year	<u>\$ 1,820</u>	<u>\$ 1,050</u>
Special Projects Fund		
Balance, beginning and end of year	<u>\$ 2,517</u>	<u>\$ 2,527</u>
Society Development Fund		
Balance, beginning and end of year	<u>\$ 297</u>	<u>\$297</u>
Justice for Women Fund		
Balance, beginning and end of year	<u>\$ 105</u>	<u>\$105</u>
Restricted Fund		
Balance, beginning and end of year	<u>\$ 3,075</u>	<u>\$3,075</u>
Total designated and restricted funds	<u>\$ 7,824</u>	<u>\$ 7,054</u>

Notes to Financial Statements:

March 31, 2002

1. **Purpose of Organization**

The Canadian Association of Elizabeth Fry Societies is a federation of autonomous societies which works with and on behalf of women involved with the justice system, particularly women in conflict with the law. The organization is incorporated under the Canada Business Corporation Act as a not for profit organization and is registered as a Charity under the Income Tax Act.

2. **Significant Accounting Policies**

These financial statements have been prepared in accordance with generally accepted accounting principles. The significant accounting policies are summarized as follows: The Canadian Association of Elizabeth Fry Societies follows the deferral method of accounting for contributions.**Statement of Changes in Financial Position**

a. *Fund Accounting*

The accounts of the Association are maintained in accordance with the principles of "fund accounting" in order that the limitations and restrictions placed on the use of resources available are maintained. All financial transactions have been recorded and reported in the appropriate fund categories. The Association's funds are categorized as follows:

- i. The Operating Fund, an unrestricted undesignated fund, is used for general operational needs.
- ii. Bursary Fund, an unrestricted designated fund, has been established to provide financial assistance to staff or volunteers of member societies to pursue post secondary studies in areas related to the goals of the Association.
- iii. The Society Development Fund, an unrestricted designated fund, has been established to provide financial support to new and emerging Elizabeth Fry Societies.
- iv. The Special Projects Fund, an unrestricted designated fund, has been established to facilitate the management of various special projects initiated by the Association.
- v. The Justice for Women Fund, an unrestricted designated fund, has been established to provide financial support for the special projects involving women's intervention cases.
- vi. The Restricted Fund, a restricted, designated fund, has been established to purchase capital items and to finance moving expenditures.

b. *Revenue recognition*

Donation revenue is recorded on a cash basis. Pledged or other donations expected but not received are not recorded as accounts receivable. Other receipts are recorded on an accrual basis.

c. *Capital assets*

Capital assets are recorded at cost in the year of purchase. Depreciation is charged on a straight line basis over a period of five years.

d. *Investments*

Investments are recorded at the lower of cost or market value and reflect interest accrued to the year end.

3.

A statement of changes in financial position as not been prepared as It would not provide any additional meaningful information.

4. **Comparative Figures**

Certain figures in the comparative year have been changed to conform with the present presentation.

**CANADIAN ASSOCIATION OF ELIZABETH FRY
SOCIETIES**
**Annual General Meeting - Calgary, Alberta - June
8, 2002**

Annual Report 2001-2002

Executive Director's Report

Priority Issues and Law Reform Initiatives

After more than ten years as the Executive Director of the Canadian Association of Elizabeth Fry Societies (CAEFS), I continue to be amazed and impressed by the incredible depth, breadth and level of commitment of our membership, individually and collectively. It has been a great privilege to work with many very passionate, responsible and dependable women who contribute their very valuable experience, expertise and enthusiasm to alleviating the oppression of themselves and others, particularly victimized and criminalized women. I would therefore like to take this opportunity to express my heartfelt thanks to all of you, especially those with the lived experience of imprisonment and those of you who work directly with and for them. I treasure your trust and support as you allow me so many illuminating opportunities to walk with you, sometimes through hell and back.

This year we will again refresh our dreams and aspirations, as we collectively strive to achieve our vision and to fulfill our mandate. In our past two decades as a national association, we have weathered many challenges and experienced significant gains. We continue to reflect upon the growth and strength of our membership and eagerly anticipate the possibilities that lie ahead of us. Sporting the insight of mutual beliefs and collective effort, we are excited and inspired to strive for sensational new possibilities. In this year's report, we will provide you with an overview of our challenges and achievements of the past, as well as a glimpse into the future work that the membership has forecast for CAEFS.

1. Legal Challenges

a) Prisoner Voting Case

In keeping with CAEFS' ongoing support for prisoner enfranchisement, including previous interventions in prisoner voting cases, CAEFS and the John Howard Society of Canada intervened at the Supreme Court of Canada, in the prisoner voting case, *R. v. Sauve*.

Historically, federal prisoners have fought for and been granted the franchise by the courts. Following such legal successes, however, the government has subsequently amended the *Canada Elections Act* so as to re-remove the right of federally sentenced prisoners to vote. The case was heard by the Supreme Court of Canada on December 10, 2001. We are still awaiting the decision of the court.

b) Complaint to the Canadian Human Rights Commission

International Women's Day, March 8, 2002, marked the first anniversary of CAEFS' complaint to the Canadian Human Rights Commission. The Commission has decided to conduct a systemic review of the manner in which the human rights of federally sentenced women are violated. They have also agreed to issue a special report regarding our allegations of the human rights violations of women prisoners on the basis of sex, race and disability.

The Human Rights Commission conducted its initial public discussions on the subject on February 25, 2002, in Ottawa. Although the Commission invited individuals and organizations that wrote in support of our complaint, they were not provided with the necessary resources in order to ensure their attendance at the meetings. CAEFS has already raised concerns regarding the limitations that this process will place upon meaningful input, particularly from women's, Aboriginal and disability groups.

At the meeting on February 25, 2002, the Commission requested that representatives of the Correctional Service of Canada, academia and the community, including CAEFS and formerly federally sentenced women themselves, present their perspectives regarding such matters as classification, treatment and other health issues, particular concerns of and for Aboriginal women, and community release options. While it is not clear exactly how the Commission plans to complete its process at this stage, CAEFS will develop submissions in conjunction with other national women's, Aboriginal, disability and social justice groups who filed documentation in support of CAEFS' complaint.

CAEFS is in the process of developing a discussion paper regarding the human rights abuses and potential remedies that we are interested in having the Commission examine. Thanks to the resources that we have received from the government, we will consult with those groups who have an interest in the human rights issues of concern. We will also provide resources to such groups in order to facilitate their capacity to comment and improve upon our submissions, as well as to enable them to develop their own submissions to the Canadian Human Rights Commission in respect of our complaint on behalf of women prisoners across the country.

Largely as a consequent of the work that we are engaged in with respect to this complaint, CAEFS is also being invited to many social and criminal justice, as well as academic and alternate sectors, international meetings, conferences and fora. We are pleased to build upon the profile raised by previous such presentations, as well as the Women's Resistance conference, in order to continue to raise domestic and international awareness of the realities of federal sentences, as they are lived by women prisoners. We anticipate that CAEFS' will finalize submissions early in 2003.

c) Convention on the Elimination of Discrimination Against Women (CEDAW)

As a signatory to the CEDAW, Canada's record with respect to women's equality will be subject to review this autumn. As a member of the Feminist Alliance for International Action (FAFIA), CAEFS' submissions with respect to Canada's compliance with CEDAW will be included in a collective submission. As well as having obligations under the Convention to take all appropriate measures to prevent and remedy the violence that women experience at the hands of private actors, governments are also responsible for ensuring that violence against women is not practiced by public authorities. Women in Canadian prisons are vulnerable to such violence.

In the past, our section of the submissions have included a review of state-imposed violence against women and the ongoing issues of violence perpetrated against women prisoners. In the upcoming submissions, we will focus upon said abuses, as evidenced by, 1) the LSD experiments conducted on women prisoners at the Prison for Women (P4W), 2) the recommendations of the Commission of Inquiry into Certain Events at the Prison for Women in Kingston, and 3) the CAEFS' human rights complaint on behalf of women serving federal terms of imprisonment.

d) Office of the Correctional Investigator

The latest report of the Correctional Investigator has once again chronicled a series of legal and administrative problems with the manner in which the Correctional Service of Canada carries out its mandate. Of particular interest to our network, will be the comments recommendations made with respect to the new policy of the Correctional Service of Canada, whereby prisoners entering federal penitentiaries convicted of murder will be subject to a mandatory two year placement in maximum security, as well as the particular recommendations regarding federally sentenced women, especially those that are considered to have mental health concerns.

The comments of the Correctional Investigator with respect to the death of Earla Brass are particularly instructive. The Correctional Investigator is very clear in condemning the manner in which Ms. Brass was treated and the complete lack of follow through on mental health information that was available with

respect to her, prior to her suicide at the Saskatchewan Penitentiary Segregated Maximum Security Unit for Women.

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 last year, the CAEFS' membership directed CAEFS to seek intervenor 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 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 have discussed the manner in which we all may work collaboratively in order to ensure that the inquest into her death does not exacerbate the tragedy of Kim's death. Rogers' inquest. In addition to consultation with these groups, we anticipate the involvement of other Ontario-based members of CAEFS who are interested in proceedings. It is our intention to ensure that the systemic issues that contributed to Kim's poverty, and, ultimately, her death, are fully examined during the inquest. We will also work to ensure that the recommendations of the inquest jury are as comprehensive in terms of recommending criminal and social legislative, policy and procedural reform as possible.

We all must act to interfere with these draconian, destructive and 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 must be 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.

2. Regional and National Advocacy

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

Among the many regressive reforms and announcements of the Government of British Columbia, was that indicating that the Burnaby Correctional Centre for Women (BCCW) will be among the eight prisons that will be closed in or by 2004. The result is that the announcement is a breach of the contract articulated in the Exchange of Services Agreement (ESA) between the governments of Canada and British Columbia, which specifies that federally sentenced women from B.C. be imprisoned in the Burnaby Correctional Centre for Women (BCCW).

On March 2, 2002, prisoner support groups in British Columbia hosted a public forum at the Vancouver Native Friendship Centre regarding the announced closure of BCCW. Although the Elizabeth Fry Society of Greater Vancouver was unfortunately not able to send someone to present, I was pleased to assist in articulating the concerns of our network with respect to the needs and interests of federally sentenced

women. The public forum also provided the opportunity to contextualize the B.C. cuts in the context of national and international issues with respect to women's imprisonment and its relationship to social justice and equality matters more generally.

While there is not a clear position among the Elizabeth Fry Societies in B.C. with respect to the preferred means of advocating for the interests of the women currently imprisoned at BCCW, the consensus of the B.C. Council of Elizabeth Fry Societies included a confirmation of the existing position of the CAEFS' membership with respect to the need to improve the circumstances of federally sentenced women.

In addition to the CAEFS' Human Rights Complaint, another opportunity to ensure that the interests and entitlements of federally sentenced women are protected presented itself in the recent reactivation of Gayle Horii's law suit. Since the passage of the specific resolution in support of her case, CAEFS has continued to support Ms. Horii's claim that the federal and provincial governments violated the *Canadian Charter of Rights and Freedoms*, the *Canadian Human Rights Act*, the *Corrections and Conditional Release Act (CCRA)*, as well as numerous domestic and international agreement, by contracting away entitlements and protections that would otherwise be available to federally sentenced women in the Pacific Region, but for the via ESA.

Gayle Horii indicated many times over to the Correctional Service of Canada that she would be willing to settle her lawsuit if they would agree to construct a healing lodge for federally sentenced women in the Pacific Region. The genesis of Ms. Horii's complaint was the refusal of the British Columbia Department of Corrections to allow her to stay in the beds that were then available for federally sentenced women in the Province of British Columbia. As a result, Ms. Horii ended up being held in a men's prison in British Columbia for approximately four years.

When the Burnaby Correctional Centre for Women (BCCW) was opened in 1991, and attempts were then made, as a result of the British Columbia Government having signed the Exchange of Services Agreement, to move Gayle to the new provincial jail. Ms. Horii refused to be moved to the new prison. Her reasoning was, that the services and programs that were available at the BCCW were insufficient to meet her needs as a federally sentenced woman. The court agreed with Ms. Horii and granted her an injunction in 1992, thereby ordering the Correctional Service of Canada to allow her to remain in a men's prison. This allowed Gayle to receive some of the protections and entitlements available to her as a result of the provisions of the *Corrections and Conditional Release Act (CCRA)*.

Ms. Horii was enrolled in a University program, which was offered via a satellite campus of Simon Fraser University, within the walls of the federal men's prison in British Columbia. No such opportunities have ever existed for federally sentenced women in Canada. As a result, there is much to be gained for federally sentenced women if Ms. Horii is successful in her lawsuit. Gayle's lawyer applied to the Federal Court of Canada to have the Executive Director of CAEFS, Professors Michael Jackson and Dr. Karlene Faith, of the University of British Columbia Faculty of Law and the Simon Fraser University School of Criminology respectively, qualified as expert witnesses to provide evidence in her case.

Due to unanticipated intervening factors, Ms. Horii's case has now been settled. As a result, her human rights complaints which remained on hold pending the resolution of legal proceedings, will now proceed. This will undoubtedly strengthen CAEFS' complaint as it applies to women in B.C. Thanks to her persistence, and the important work of the members of the B.C. Council of Elizabeth Fry Societies, efforts to ensure Charter protection of and for federally sentenced women will continue. We are hopeful that this will result in improved circumstances for women prisoners and increased accountability for federal and provincial correctional authorities.

b) Closure of the Minimum House

The Isabel McNeill Minimum Security House was scheduled to close on April 1, 2001. At present, although there is no official closure date, it is greatly anticipated that the Minimum House will close within

the next fiscal year or two. Suffice it to say that the degree of 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, is untenable.

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 four of these 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.

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 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 be 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. The very recent release of an additional document from the Correctional Service of Canada (CSC) has revived our collective hope that CSC will follow through on its promise to fulfill its obligation develop a comprehensive community release strategy for federally sentenced women.

In addition to this crisis, there is still a lack of a national community release strategy for federally sentenced women. Although our membership has combined incredible enthusiasm, energy and very limited resources to achieve quite remarkable results, there are still insufficient community release options for women across the country. Accordingly, this continues to be a priority agenda item for the entire CAEFS' membership.

d) Women Classified as Maximum Security Prisoners

The Management Protocol 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 will constitute a violation of women's human rights, Charter protections and legal entitlements under the CCRA.

This is yet another exemplification of 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.

Conference calls for the Regional Advocates have facilitated increased discussion and dialogue regarding key advocacy issues. In addition, conference calls have been facilitated, in order to provide a forum for the

Regional Advocates to participate in policy and issue-specific discussions with senior staff within the Women Offender Sector, as well as Nancy Stableforth, the Deputy Commissioner for Women and Senior Deputy Commissioner of CSC.

Already flagged for further immediate action is the need to very closely monitor the maximum security units that are scheduled to open in the regional prisons within the coming year. 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, 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.

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 tends 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 receive 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, have been returned to Springhill. In addition to being a very alarming reality, this development 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 and the Okimaw Ohci Healing Lodge (OOHL)

The Okimaw Ohci Healing Lodge (OOHL) representative, Judith Heminger, and the Executive Director of CAEFS were pleased to be invited to participate in recent Correctional Service of Canada (CSC) meetings regarding the future of the OOHL. It has long been a concern of the CAEFS' membership that access to the Lodge is limited to only those women who have achieved a minimum or medium security classification level. Given the reality that 50% of the women classified as maximum security prisoners are Aboriginal, there is a clear and pressing need to ensure that appropriate and adequate services and resources exist for them. As such, we are extremely heartened by the current efforts of CSC to refocus upon the needs of the women and support all efforts aimed at increasing the level of support available to Aboriginal women prisoners.

In addition to participating in the aforementioned meetings and any related future planning and implementation activities, the Canadian Human Rights Commission complaint will also provide CAEFS with additional opportunities to ensure that the needs of Aboriginal women are met within the federal prison system.. Furthermore, current efforts to develop community integration and release options with Aboriginal communities, pursuant to sections 81 and 84 of the *Corrections and Conditional Release Act (CCRA)*, will hopefully produce positive results in the near future.

g) Youth Criminal Justice Act (YCJA)

On October 31, 2001, CAEFS appeared before this Senate Standing Committee on Legal and Constitutional Affairs. We were asked to comment on the pending juvenile justice legislation the *Youth Criminal Justice Act*. The information received the next day from Justice bureaucrats who provide policy analysis to the Department of Justice, indicated that the input provided by CAEFS was extremely well received. Indeed, the committee members indicated that they would like to follow our recommendations with respect to better resourcing of community options for young people, especially young women and Aboriginal youth.

In spite of the best intentions and concerns of many at the Department of Justice, calls for toughening and opening up of the *Young Offenders Act* continued, even with the introduction of the *Youth Criminal Justice Act (YCJA)*. Certainly, the media depiction of perceived public animosity toward youth still show no signs

of dissipating. It is vitally important that the implementation of the YCJA include a closer look at how regressive amendments to the YOA severely limited the positive approaches initially envisioned by that Act. It seems unconscionable to consider addressing concerns regarding youth by merely off-loading them into the ordinary court and the criminal justice system designed for adults.

It is also distressing to consider the possibility that, without federal guidelines, resources and monitoring, the YCJA could merely serve to continue attempts to erode and chisel the fundamental tenants and guiding principles of the juvenile justice system. CAEFS remains committed to retaining young people in the community utilizing the least restrictive interventions and alternative social support systems for as many youth as possible. In fact, both pieces of legislation call for an examination of all other systems prior to invoking the juvenile justice provisions.

Alternative or diversionary options are entrenched in the YCJA; but so were they in the YOA. Paradoxically, the past decades have seen just the opposite developments. In most schools or child welfare group homes, for instance, matters that previously might have been dealt with by the relevant administrative authority are increasingly more likely to be referred externally to the juvenile justice or young offender system.

Rather than adopt a 'zero violence' approach, 'zero tolerance' policies are resulting in ever increasing numbers of disenfranchised youth being jettisoned out of schools and communities, usually through, rather than into, an ever more drafty social safety net. Rather than nurturing our youth, we are increasingly scapegoating and disposing them as though they are expendable human refuse. Recognizing the current stresses of fiscal restraint and downsizing, more focus upon consolidating creative energies, as well as upon encouraging a more empowered student body to provide peer and mentoring support are but examples of the manner in which schools might re-direct energies.

In terms of custodial sanctions, both the YOA and the YCJA stipulate that such dispositions should be viewed as extraordinary and must only to be used as a last resort. Further, where a custodial disposition is resorted to, the expectation is that open custody be utilized before the employment of secure or closed custody.

Clearly, it was initially anticipated that the use of secure custodial settings for young people was to be the absolute last resort in terms of sentencing young people under the Young Offenders Act. Moreover, it was envisioned that open custody would be easily distinguishable from secure custody settings. Open custody was anticipated to denote a group-home type of setting, as opposed to an institutional setting. This fact notwithstanding, in most provinces, the two forms of custody have been virtually indistinguishable, given that most open custody settings have either evaporated or are mostly institutional in nature.

To make matters worse, young women remain disproportionately disadvantaged in terms of access to open custody settings. The majority of young women who receive open custody dispositions must serve their sentences in secure custody and/or co-correctional facilities. Consequently, they tend to have more limited access to the community as well as institutional services and programs. In many of the young offender centres across the country, incidents of sexual assault and/or pregnancies have led to the further segregation of young women within co-correctional facilities.

Statistics reveal that there has been an overall reduction of youth crime rates generally as well as a relatively low incidence of violent and repeat youth crime more specifically. These realities notwithstanding, by providing the media with access the YOA, the legislators guaranteed increased police, media and general community focus on youth crime. The increased attention upon a previously inaccessible area has also quickened a tendency to criminalize the behaviour of young people. The result is that many more youth are being jettisoned into the ever wider, deeper and stickier nets of the juvenile justice system.

It is clear that all young people suffer as a result of the lack of adequate support services and other systems-based deficiencies. We are familiar with the erosion of resources for community-based support systems for

young people. The overall situation is all the more acute for young women. Young women are disproportionately disadvantaged as a result of a lack of gender-focused community and institutional programming and services, extremely limited access to open custody settings and consequent systems-dictated secure custody re-sentencing, over-representation of young women in custody for administrative breaches and child welfare types of concerns.

Systemic bias and discriminatory practices undergo a multiplier effect where gender, race, class, ethnicity and/or sexual orientation converge. Accordingly, immediate action is required in order to develop more comprehensive understanding and concerted efforts to address issues of bias within the youth justice system.

If implemented as intended, the *Youth Criminal Justice 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. To this end, CAEFS would support the cessation of federal transfer of resources to provinces and territories for custody beds, provided there was a corresponding increase in the transfer of monies for community resource development for young people.

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 and psycho-social programs and services both in community and institutional settings. CAEFS is particularly concerned about the paucity of community-based and therapeutic alternatives for young people in general and young women in particular.

We believe that the Minister of Justice might better address some of these issues via altering cost-sharing agreements with the provinces and territories, than by additional legislative proposals. Despite the best efforts of many to work to create positive options for youth, current legislative proposals may unfortunately divert additional resources to fund custodial options and thereby serve to diminish the pressure to create more proactive and preventative means of addressing the complex issues and concerns that contribute to the criminalization of young people.

It should be noted that federally sentenced women have repeatedly expressed concern with respect to the increased numbers of young women in the segregated maximum security units in men's prisons. Federally sentenced women and men alike, have voiced opposition to the rendering of young people subject to federal penitentiary sentences. Lifers in particular, some of whom entered prison during their teens, have expressed concern that other young people not face a similar fate.

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. Indeed, CAEFS supports the broadest interpretations of crime prevention within the context of socio-economic, health, educational and cultural realities. There is sufficient evidence that preventative approaches to addressing crime are far more cost-effective than current criminal justice approaches. 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, child care 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. While there is greater gender parity in terms of childhood experiences of abuse, this situation changes drastically around puberty and certainly into adolescence. Unfortunately, the youth justice system is rarely equipped with adequate understanding, much less skills or services to address, the differing gender-based manifestations of abusive histories.

Much is already known about effective and empowering ways of meeting the needs of young women. This information, combined with more adequate resourcing of existing support services and networks, as well as increased funding to enable and improve the exploration, documentation, and implementation of additional approaches, would undoubtedly result in ever more effective interventions, increased prevention and decreased recidivism rates.

CAEFS supports federal-provincial/territorial cooperative and collaborative work in this area. Cost-sharing for the advancement of relevant health/treatment services are recommended. It is our view that the youth justice system must not remain the catch-all 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. At the very least, resource allocations to custody and community need to be flipped, one to the other. Additionally, a refocus on the front-end of the process is vital. Such an orientation would entail increased use of alternative measures programs, reduced caseloads and more holistic probationary practices, vocational and educational foci, as well as increased emphasis on moral, cognitive and personal development generally. Furthermore, all such approaches would require the integration of gender-based as well as racially and culturally-specific foci. 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 child welfare, educational, medical and mental health systems as well as the youth justice systems.

In order to ensure significant short as well as long term change, proactive education and training programs is required for judges, lawyers, probation officers, police officers and all other youth justice personnel. The reorientation of those who work with or are otherwise involved with young people is a prerequisite component to the development of positive and effective change within the youth justice and all other youth-serving systems. 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. Research Support

a) Young Women Who Use Violence

Given the introduction of the *Youth Criminal Justice Act* by the Minister of Justice, we anticipate that the research that we have already undertaken and which appears on our web site will take on even greater importance for those within the government, as well as those in the community who are providing services and programs with and for young women and girls.

b) AIDS Study

As a result of funding provided to Prisoners with AIDS Support and Action Network (PASAN) to research the needs of women in prison who are diagnosed with Hepatitis C, HIV and AIDS, the Executive Director participates in an advisory committee for the project. PASAN is examining the health and harm reduction practices in federal and provincial jails and the experiences of women in prison across the country. The report regarding this research is expected late in 2002 or early in 2003.

c) Mental Health Services for Criminalized Women

Thanks to the resources CAEFS was able to access via the Voluntary Sector Initiatives Program, CAEFS will be reviewing and documenting 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, will assist us in this endeavour.

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

Another component of this research will include a review of the various opportunities to intervene to keep women with mental and cognitive disabilities within the community, as opposed to within the criminal justice system. To this end, we are planning to review all possible entry and exit points of the criminal justice system, from initial police contact to community release and integration, with a view to identifying when and how women might be prevented from entering the system in the first place or extricated therefrom further down the proverbial road. We are very excited about this research and look forward to enjoying the results of our findings. Without a doubt, both components will provide CAEFS with a number of new prospects in terms of future initiatives to address and alleviate the burgeoning population of federally sentenced women with mental and cognitive disabilities.

4. Conferences and Public Education

a) Women's Resistance: From Victimization to Criminalization

The Canadian Association of Elizabeth Fry Societies (CAEFS) and the Canadian Association of Sexual Assault Centres (CASAC) have worked in alliance on a number of important women's equality issues for approximately ten years. CAEFS and CASAC, along with women with the lived experiences of victimization and criminalization, other equality-seeking groups representing women with disabilities, Aboriginal and other racialized groups, academics and theoreticians, professional and practitioners, have worked collaboratively on policy and law reform initiatives.

Most notably, this alliance has resulted in such important developments as the current rape shield and protection of women's counseling records provisions in the Criminal Code of Canada, numerous interventions into court cases designed to protect women's constitutionally protected rights pursuant to section 15 of the Canadian Charter of Rights and Freedoms, initiation and follow-up to the Self Defence Review of the cases of abused women who used lethal force against abusive men, submission of position papers and briefs to bureaucratic and political staff, as well as Parliamentary and Senate standing committees regarding numerous service, policy and legal issues with respect to women's equality.

It was a natural progression of the growing alliance between CAEFS and CASAC that we initiate a forum in which we might promote greater contact and knowledge between our organizational memberships, clientele and coalition partners. Both organizations were planning to host conferences within several months of each other, so we decided to join our efforts and thereby model the growth and development of our respective initiatives into a more multi-faceted and cross-sectoral agenda for action.

Despite relatively meager financial resources, CAEFS and CASAC utilized same in a manner that would ensure grassroots leadership at the conference and organized the conference and follow-up activities in a manner designed to model and therefore provide a springboard for longer term community-based alliance-building, service delivery, policy and law reform. The impact of the conference is already revealing significant development of such alliances, adaptation and/or development of services and programs for women and girls, particularly those who are victimized and criminalized, as well as longer term public education and collaborative actions by equality-seeking groups aimed at advancing women's equality via social policy and law reform.

Despite initially deciding to cap conference registration at 500, when, by the end of August, that number had been reached, CAEFS and CASAC decided to allow a limited number of additional registrants. In addition, during the conference, a number of women and a handful of men in the local community who heard about the conference, approached us and requested permission to attend parts of or the remainder of

the conference. Most of this latter group did not choose to formally register. Based upon the number of registration kits (please refer to Appendix I to review a sample registration kit) disseminated, conference attendees, including the 550 who registered, as well as the volunteers who also participated, and the non-registered full and part-time participants, we estimate that the conference was attended by approximately 650 people.

In keeping with the participatory nature of the conference, many of the participants were also involved in the presentation of information to other conference attendees, via plenary or workshop presentations, poetry readings, musical and dramatic performances, geographic, constituency and issue-specific caucus meetings, display areas, sale of materials, and more. The conference participants included:

- i. victimized and criminalized women and girls, including women who had been sexually victimized and women and girls who had been controlled by violent men in their families, women who had been forced to defend themselves violently and young women labelled as violent themselves,
- ii. women who are disproportionately disadvantaged economically, socially, politically and legally;
- iii. women and girls who are subject to systemic violence

- iv. women from equality-seeking groups, particularly those self-organized poor women, Aboriginal and other racialized women, women from many immigrant communities, including women from Asian and South Asian community groups, women from African communities, Caribbean and South and Central American communities, women with differential physical, mental and cognitive abilities;

- v. front-line workers from the anti-violence and prisoner advocate groups especially our members and their associates;

- vi. legal practitioners, academics, bureaucrats, politicians and other policy makers, service providers and activists who work with or otherwise address the issues of criminalized and victimized women;

- vii. international and domestic colleagues from women's and justice groups.

Throughout the development, delivery and follow-up to the conference, we have benefitted tremendously from the significant representation of women with the lived and front-line experience of victimization and criminalization, poor women, Aboriginal women, other racialized and immigrant women's groups. Those groups have included women with cognitive physical and mental disabilities. In addition, we were privileged with the input of women working at the local, provincial, national and international levels developing personal supports, services, policies, legislative reform, as well as community-based, regional, national and international actions and strategies.

Many conference participants commented very favourably about the nature of the conference organizers' commitments to ensuring that those with the lived experience of victimization and criminalization, Aboriginal and racialized women, lesbian, Francophone, rural and poor women in particular were well represented at the conference. Many attendees also expressed appreciation for the decision to ensure that these women, especially prisoners and women in and from shelters and front-line anti violence workers were privileged and provided with important new opportunities to work with key academics and policy-makers.

Once it became clear that resources for the conference would be quite limited and therefore all of the organizers' plans could not be accommodated, CAEFS and CASAC decided to prioritize the provision of subsidies to those with the lived experience of victimization and criminalization, especially prisoners and women in and from anti-violence centers and those working directly with the victimized and criminalized women. Accordingly, subsidies and sponsorships were provided for conference registration, transportation, meals and accommodation (including billets), child care and other personal support services and per diem during the conference.

This plan not only ensured the participation of women who would not otherwise have been able to attend the conference, but it also guaranteed those women that the organizations' assurance of influence and involvement throughout the planning and delivery of the conference was realized. We incorporated the wisdom and advice of women who participated in a number and variety of meetings that had considered the conference over five years of planning. These fora included meetings of the membership and Board of Directors of CAEFS, the Gatineau Gathering, the Winnipeg CASAC consultation, the CASAC Links meetings of CASAC researchers and the meetings of regional representatives of CASAC.

From the outset, CAEFS and CASAC advised all prospective participants that we would be privileging the disadvantaged equality-seeking groups and individual women and would therefore not be in a position to privilege those who are generally used to such treatment at other conferences.

Academics and more highly paid professionals, including government workers, were expected to utilize their relative privilege in terms of resources and communities of sponsorship and influence to facilitate their participation in the conference. Indeed, it was at the suggestion of some of these women that CAEFS and CASAC set the registration fee at \$350, with a late fee of \$450. Although we subsidized the registrations and expenses of 80% of the participants. The 20% who were in a position to pay registration fees contributed significantly to the ability of the conference to subsidize other conference participants.

In order to ensure that women were comfortable and accommodated at the conference, key support women were identified to provide 24-hour support, economic and social consideration and caucus space was reserved in advance for women in and from prisons and shelters, aboriginal and other racialized women, women from other countries, women with language barriers, lesbians and women with disabilities. Women were notified and prepared in advance of the conference in order to ensure that this support was provided as naturally and unobtrusively as possible throughout the conference. The overwhelming response of women who utilized these supports was that all assistance was provided with extreme care and women felt that they were treated with humanity, respect and dignity throughout the conference.

Fees for display space were similarly subsidized. Those with the means to pay for their space did, while a number of individuals and groups were invited to display their information and materials gratis, in order to ensure that the premium was placed upon the dissemination of important and relevant information for all conference participants.

In addition, in terms of the actual conference agenda, significant time and energy was devoted to recruiting and assisting women to develop and prepare their plenary and workshop presentations. This work ensured that the voices of women in and from prisons and anti-violence centres, as well as front-line workers from both fields, were represented on all plenary panels and in the majority of workshops.

In order to ensure that the interpretation would be as fluid and accurate as possible, significant time and energy was also devoted to ensuring that preparation materials were provided for translators. These included background documents and position papers, as well as a list of common language, terms, colloquialisms, jargon, street terms and acronyms. The development of these materials also facilitated the ongoing and very necessary pre-education work that was required by the two organizations with respect to developing common terminology and contextualizing differential interpretations.

All of the foregoing contributed to the overall success in making the conference highly accessible. A number of young women in particular commended CAEFS and CASAC for seeking out and providing outreach support to youth. The result was a very key and important core group of young women whose interests included issues of child welfare, the development of human rights and youth justice, the humanization of globalization, curtailing the pornography industry, ending prostitution, racism and poverty. Indeed, such groups as Justice for Girls, Save the Children, and the National Youth in Care Network (NYICN) were provided with opportunities for discussion amongst themselves and other women-serving organizations and policy-makers. Indeed, these organizations have continued discussions and Justice for

Girls and the NYICN are involved in several key research project initiatives aimed at identifying and addressing the needs and interests of young women who have been victimized and criminalized.

The entire conference promoted the intersection of expertise and experiences. This was encouraged and occurred in a number of ways. In terms of the lessons learned and growth experienced by professionals and academics who attended the conference, many reported that they received very significant and substantive feedback about their work. Some acknowledged that the women who attended had challenged and in some cases corrected their assumptions or conclusions. Others indicated that participants and presenters had reinforced their pre-existing understandings and analysis. The academics in particular expressed appreciation for the opportunity that the conference provided to offer their intellectual work in support of front line work and grassroots experiences of women who have experienced sexist violence and criminalization, even imprisonment.

Given the number of comments received about the restorative justice plenary, it also bears noting that a number of conference participants felt that the perspectives of the anti-violence and Aboriginal women require much more discussion. For some, the conference plenary apparently represented the first opportunity that they had experienced whereby some of the fundamental challenges and equality-making opportunities offered by restorative approaches were considered and explored. Many felt that the subject needs significant additional time and resources devoted to ensuring that the woman-based dialogue and agenda for action may be developed.

Similarly, the plenaries regarding the need to counter regressive "law and order" approaches, as well as the call for a coalition to end the imprisonment of women generated significant feedback from conference participants and the public at large (viewing the plenary on TV). The overwhelming response has been one of concern that the work on these issues must not only continue, but that significant energy and resources need to be injected into both in order to ensure that women and girls achieve equal access to justice in Canada.

A number of women who described themselves as having had no prior involvement or interest in the issues of criminalized women, described themselves as having been startled into reality as a result of having watched the conference proceedings on CPAC. Many were ignorant of the approaches to justice which have been developed in the Canadian women's movement, as illustrated by CAEFS and CASAC member groups. Women then made donations to CAEFS and CASAC and some indicated that they would be seeking out local grassroots groups to which they would contribute time, energy and financial resources.

Unfortunately, only as a result of very limited resourcing of the conference, our original plans with respect to the development of pre-conference materials and the provision of satellite sites that would be linked up to the conference via technology had to be abandoned. As a result, the original plan for the conference was adapted so as to ensure that sufficient resources were maintained in order to allow all participants to get to the conference. For instance, our original plan to distribute discussion papers in the form of a compact disc prior to the conference was abandoned as a result of limited resources. Instead, hard copies of discussion papers were provided to conference participants on site.

In addition, participants were encouraged to link up with each other to further share information and discuss issues. Key information about web sites and linkages to other sources of information were also disseminated. Connections that were initiated at or by the conference are being maintained electronically, particularly via email communication and list serve and web site postings. In addition, alliances were built internationally. As a result, two women's groups in Eastern Europe, three in Mexico, one in Cameroon and one in Nepal are being sistered by groups who attended the conference. The sistering groups in Canada are providing internet linkages, as well as economic and political partnering.

As part of the rethinking of the expenditures with respect to compact discs and official proceedings from the conference, the organizers decided to produce more post conference material rather than invest in pre-conference material alone. At present, all plenary sessions from the Conference have been developed into

compact disc recordings and are also available in both compact disc and MP3 format. Indeed, a copy of the plenary sessions is enclosed with this report. In addition, we are in the process of editing and developing additional recordings of those workshops for which we have audible audio taped recordings. These post conference materials will be advertised on the CAEFS and CASAC web sites. In addition to being promoted amongst Universities, Governmental bodies and women's equality and other social justice organizations.

In terms of measurable outcomes from the conference, our original plan was to focus on a number of joint resolutions by the end of the conference. As a result of the widespread interest in the conference and the quality of participants who are showing interest in engaging in a much broader dialogue at the conference, we decided to transform this plan. We began to see that it would be a waste of incredible talent, and practical and intellectual resources, to try to overly focus the conference on one plan. As a result, we diminished our focus on the need to develop joint resolutions emerging out of the conference; and, instead decided to enhance all our plans to encourage participants to develop a multiplicity of action plans that will be initiated into their communities of interest, organizations, et cetera, both during and following the conference. There are many examples. The foregoing provided just a few of these action plans and ongoing liaisons between conference participants.

Overall, one of the most common responses to the conference, was an indication that women had developed increased awareness and appreciation of others working on women's equality and social justice issues. The conference itself, provided the first opportunity for many anti-violence and prison workers to meet and discuss shared concerns, experiences and strategies for developing improved services, policy and law reform for their respective clientele. In addition, for some of the women in and from shelters and prisons, the conference provided the first opportunity to actually meet with Parliamentarians, Academics and other activists.

A number of individuals commented on the unique opportunity posed by this conference to encourage dialogue between Parliamentarians, American and Canadian Academics, activists, front line workers and women in and from prisons and anti-violence centres. The discussions promoted a great deal of interest and cross talk, in addition to a very rich exchange of ideas and interesting considerations with respect to potentially new theories of change. The conference also provided an opportunity for front line workers and Aboriginal Leadership to further develop the voice and important political leadership by women in anti-violence and prison contexts.

The display space also provided an excellent exemplification of the ability of women from diverse backgrounds, experiences and expertise to collaborate in planning effective and informative displays. The very act of developing the display space was one of consultation and collaboration. The end result, was a seamless overview of a variety of issues pertaining to women and girls who are victimized and criminalized, including historical materials, materials that were for sale, and initiatives that urged participants to think creatively about their own work and the future of the movement towards women's equality.

Since the conference, the collaboration has continued in a variety of ways that will be discussed later. One example of this is the fact that a woman who is on contract with the Swedish Government is now working in partnership with a rape crisis center in Vancouver and a women's center in Quebec against prostitution and trafficking of women in Canada. Another example, is the work that one woman who had experienced historical racism, when she was jailed in the Mercer Reformatory as a result of her sexual relationship with a Chinese Canadian man, with women and prison and shelter work. This woman, who is now in her seventies, linked up during the Conference with young women, immigrant women and front line anti-violence and anti-prison workers, as well as academics who were interested in developing the linkages between her life experience and ongoing struggle and the experiences that are currently ongoing for women and girls throughout Canada.

Other examples include but are not limited to: the involvement of artists who are also activists and public educators and technicians throughout the conference, the coordination of several Provincially-based groups who are working to address the burgeoning development of child apprehension and detention legislation, parading under the guise of child protection in Canada. This provided a cross-geographic, cross-Canada discussion that involved lawyers, academics, transition house and women center staff and women in and from prison, as well as their advocates.

There was also considerable International collaboration regarding the connections between globalization and the increase in the use of prison, women's issues, human security and human rights concerns, international discussions of trafficking and local prostitution issues, connections between international security and human rights issues of violence against women and the criminalization of women.

Unfortunately, the combination of the late notice of receipt of funds from CIDA and the tragic events of September 11, 2002, meant that a number of the women who we anticipated would be able to attend the conference were unable to obtain travel documents in time to do so. Furthermore, one woman from Cameroon who planned to attend and for whom we had already purchased an airline ticket notified us on Friday, September 28, 2001, that she had just been refused a travel visa by Canada. In addition to continuing to maintain our contact with her, CASAC has developed a sistering alliance with her group and they have contributed resources to them as well.

One of the most common responses the organizers received both during and following the conference was appreciation expressed for the provision for a women's conference at all. A number of the women who attended the conference have never experienced a women's conference and most found it quite an intensely positive experience.

One of the most overwhelming recommendations was that the conference organizers continue the momentum and plan to develop additional conferences in the future. While there is some interest in this possibility, in the immediate future, the plans are to continue to work with the groups who participated in the conference and to assist other equality seeking organizations to incorporate some of the strategies and learning from the Women's Resistance Conference into their conferences, event planning and plans for action.

The feedback following the conference has been extremely positive. In addition to yielding several thousand dollars in donations to CAEFS, including some funds directed by donors to the United Way, a funder to which CAEFS does not apply nor solicit funds. In particular, early feedback focussed around the value that the conference played in creating a dialogue that permitted discussion of reasons why peace, as opposed to war, were important for Canadians. Indeed, several church and peace organizations contacted the CAEFS' office to advise that they felt that the discussions as a result of our conference "made space" for a different dialogue about September 11, 2001.

b) Sisters Inside - *Women in Prison* Conference

From November 27 through December 1, 2001, Kim participated in and attended a conference hosted by Sisters Inside, in Brisbane, Queensland, Australia. Sisters Inside, two members of which we are pleased to welcome to our Annual General Meeting this year, is a remarkable group of women prisoners and former prisoners who have organized politically to provide advocacy, law reform and direct service to women in the Queensland area. In addition, they are leading their country in law reform and advocacy efforts.

As exemplified by their conference, they are also reaching out and working on collaborative initiatives internationally. Indeed, the conference was opened by Angela Davis, who described Sisters Inside as unique and a revolutionary prisoners' support group. She was clear and unequivocal in her support for the work of Sisters Inside and her commitment to ensuring their message and their organizing structure are carried around the world.

Without any resources from the correctional authorities in their state or government, Sisters Inside has managed to amass an incredible array of services for women in and leaving prison, providing direct service as well as referral and advocacy support.

c) Colloquium on Mandatory Minimum Sentences

On March 9, 2001, CAEFS and Osgoode Hall Law School coordinated a *Colloquium on Mandatory Minimum Sentences*. A number of the bureaucrats who work within the Department of Justice and the Solicitor General have spoken very highly of our partnership with Osgoode Hall Law School and our courage in taking on this particular issue. The most recent two volume edition of *The Osgoode Hall Law Journal*, features the peer-reviewed papers presented at the Colloquium.

d) NAACJ - Annual Forum and Conference on Fetal Alcohol Syndrome

In the Executive Director's capacity as the President of the National Associations Active in Criminal Justice (NAACJ), she helped organize and host our most recent tripartite forum of the members of the National Associations Active in Criminal Justice (NAACJ), the Department of Justice, and the Department of the Solicitor General. On May 6, 2002, the meetings focussed on issues pertaining to the implementation of the recent increased focus upon diagnosing, labelling and jailing prisoners "suffering" from Fetal Alcohol Syndrome (FAS), Fetal Alcohol Effect (FAE) and Alcohol Related Neurological Disorder. The forum identified many questions with respect to the validity of the label, research and response of the health, social services and justice systems to this recently defined phenomena. The meeting also presented a great deal of information regarding the gender, race and class implications of the new forms of institutionalization occasioned by the focus upon the impact of alcohol on human development.

e) Canadian Criminal Justice Association Conference on Restorative Justice

The Canadian Criminal Justice Association (CCJA) is sponsoring a conference in September 2002. As a member of the Conference Advisory Committee, the Executive Director is organizing a plenary and workshop for the conference. The focus of the conference will be an examination of the challenges and possibilities that restorative approaches offer the criminal justice system.

f) Correctional Service of Canada

From January 15 to 18, 2002, inclusive, the Executive Director participated in an organizational planning exercise with the Correctional Service of Canada. During these meetings she also took the opportunity to work with several victims' organizations that were also present and participating in the organizational development exercise. This has resulted in several meetings being established between the Executive Director of CAEFS and such organizations as Victims Voices, Victims of Violence, and the Victims Resource Centre of the Canadian Police Association. It is hoped, that the work spent educating these groups about the work of CAEFS and its membership will assist all parties. The groups were particularly interested in materials and information they had received as a result of the CAEFS-CASAC Conference, *Women's Resistance: From Victimization to Criminalization*.

g) National Parole Board

From January 27 to 29, 2002, the Executive Director participated in a General Board Meeting and provided training sessions with and for the National Parole Board of Canada. While focussing on the issues pertaining to federally sentenced women, Kim was also asked to address issues specific to Aboriginal prisoners, prisoners with mental health and cognitive disabilities as well as young people in the prison system.

h) Cable Public Affairs Channel (CPAC)

On January 22, 2002, the Executive Director participated in a week-long series that CPAC hosted regarding the Corrections and Parole System. Mr. Ian Glen, the Chair of the National Parole Board, as well as a lifer, and a representative of victims of violence, also participated in the program. Interestingly, the Correctional Service of Canada did not agree to participate in the program.

i) Elizabeth Fry Week - Challenging Stereotypes and Encouraging Proactive Action

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 6, 2001, and copies of the introductory information and fact sheets were sent to Members of Parliament and the Senate of Canada. The Canadian Association of Elizabeth Fry Societies celebrates National Elizabeth Fry Week annually. Elizabeth Fry Societies across the country organize public events in their communities throughout the week.

Our goal is to enhance public awareness and education regarding the circumstances of women involved in the criminal justice system. We hope to challenge and gradually break down the negative stereotypes that exist about women who come into conflict with the law. National Elizabeth Fry Week is always the week preceding Mother's Day. The majority of women who come into conflict with the law are mothers. Most of them were the sole supporters of their families at the time they were incarcerated. When mothers are sentenced to prison, their children are sentenced to separation. We try to draw attention to this reality by ending Elizabeth Fry Week on Mother's Day each year.

By focussing on initiatives to keep women in the community and facilitate their integration after prison, our 24 member societies hope to encourage the Canadian public to examine some productive and responsible means of encouraging community responses to addressing criminal justice matters from coast to coast. Particularly in this time of fiscal restraint, our aim is to retain a proactive focus in order to encourage the development of, and support for, community-based alternatives to human and fiscal expenses of our increasing reliance on incarceration. We focus on increasing public awareness of the myriad issues facing women in prison and gradually break down the stereotypes of women in conflict with the law. In addition, CAEFS initiates and responds to media awareness and coverage of the myriad relevant issues on an ongoing basis.

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 contact Kim Pate directly at kpate@web.ca, visit the CAEFS' home page at <http://www.elizabethfry.ca>, telephone us at (613) 238-2422, or fax us at (613) 232-7130.

Position of the Canadian Association of Elizabeth Fry Societies (CAEFS)

Regarding the Conditional Release Options Required by Federally Sentenced Women

Identification of the Issues

Ten years ago the Standing Committee on Justice and Solicitor General reported upon the critical inadequacy of community correctional services for women in Canada. In 1990, the Task Force on Federally

Sentenced Women reiterated the observation and further noted that there was no "evidence of concerted efforts in the past to document the situation and develop an appropriate, effective strategy to address deficiencies" (p. 66 of *Creating Choices*). In March of 1996, the Correctional Service of Canada (CSC) hosted a National Workshop to Develop a Community Strategy for Federally Sentenced Women. Participants spoke of the urgent need for concrete action to address the deficit of community release options for federally sentenced women. Recently, CSC issued a *Community Strategy for Women on Conditional Release Discussion Paper*.

The CSC Discussion Paper provides a good introduction and a useful outline of some of the key issues pertaining to the community integration needs of federally sentenced women. While it also provides a few examples of the sorts of programming options that might be developed for women, it lacks the prerequisite profile of the services, programs, practices and approaches currently utilized for women throughout Canada. There are regional variations in terms of the nature and extent of service deficits. Accordingly, prior to responding to the Discussion Paper, CAEFS canvassed its own membership and contacted the Deputy Commissioners in each of the regions, with a view to discerning current and contemplated conditional release service options in each of the regions.

CAEFS contends that there is an urgent need to address the community release requirements of federally sentenced women. We are particularly concerned about the complete lack of women-only and women-directed residential release options in the Prairie and Atlantic regions. We also insist that the current system, which was designed for men, does not serve the releasing needs of women. Release options should also reflect the relatively low risk to the safety of the public posed by women, including their lower overall recidivism rate compared to men, and the far smaller percentage of the violent crimes committed by women (Federally Sentenced Women Program, *Literature Review*, CSC, 1994). Accordingly, we believe that these factors should be included in principles outlined in the Discussion Paper as underlying the community strategy.

In addition to creativity and flexibility, community development and partnerships and re-incarceration as a last resort, CAEFS is of the view that the following factors are also fundamental principles that should underlie the community strategy:

- women-only residential/halfway house day parole and temporary absence options must be made available to federally sentenced women in each province;
- accommodation of women in men's residential services is not an acceptable alternative to women-only services;
- appropriate resourcing models that recognize the importance of small, regionalized residential resources for women require new funding models, as current funding formulae are inappropriate and largely irrelevant to current residential service provision models for women;
- residential release options must reflect the diversity of the federally sentenced women they are designed to serve by providing specific accommodation of and for mothers and children, women designated as high need and/or high risk, older women, women serving lengthy sentences, women with significant mental health and/or capacity challenges.

Failure to provide adequate services for women contravenes the Mission and Core Values of the CSC, the principles and provisions of the *Corrections and Conditional Release Act (CCRA)*, and the formal and substantive equality rights of women as guaranteed in the Canadian Constitution, by virtue of the provisions of the *Canadian Charter of Rights and Freedoms*. It is CAEFS' view that these various legislative and policy statements impose a duty upon the government not to exacerbate the disadvantage of federally sentenced women, instead to ameliorate the discriminatory conditions. In addition, CSC policy, sections 77, and 80-84 of the *CCRA*, and section 15 of the *Charter* provide encouragements to CSC to take the initiative to develop proactive resources and services.

Addressing the Needs

At the June 1998 Annual General Meeting of CAEFS, the entire membership reaffirmed the association's commitment to ensuring that the community release needs of federally sentenced women are met in each of the regions. In each of the regions, local Elizabeth Fry Societies are working toward meeting the following range of needs:

- accommodation or housing requirements, including halfway houses, satellite units, supported independent living, s. 81 and s. 84 agreements, subsidized and second-stage housing, private home placements [preferably in own, familial home or home community, as opposed to glorified foster home types of placements which provide more limited, potentially infantilizing environments];
- - financial support, including paid, training and voluntary employment placements and options, facilitating access to social assistance, disability and other income support options;
- - personal development and support, including bridging and facilitating familial and community contact, facilitating access to child care and support, peer and community support groups, recreational opportunities, vocational and academic training, cooperative and on-the-job training.

CAEFS' believes that all federally sentenced women should have access to the foregoing upon release. Moreover, as CAEFS articulated during and following the March 5-7, 1996 National Workshop to Develop a Community Strategy for Federally Sentenced Women, we also remain committed to ensuring that services are provided with and for women whilst they are incarcerated. As envisioned by the members of the Task Force on Federally Sentenced Women, CAEFS will continue to encourage the establishment of such meaningful community involvement for women during their incarceration as, work release options in the community, citizen escorts to facilitate programming, treatment, personal development, access to women's centres and services, work releases and temporary absences.

CAEFS' Recommendations and Proposals

Community Liaison

The CAEFS membership has a long history of service provision with and for federally sentenced women. Such services have been provided on contractual as well as voluntary bases. Since the opening of the new regional prisons, CSC institutional staff have increasingly been expected to assume tasks that were historically provided by organizations such as ours in the community.

For example, rather than hire externally-located community liaison workers to provide community-based services for women in and leaving prison, as well as bridging services between the institutional and home communities with a view to facilitating successful release, CSC designated a staff member in each of the regional prisons as a liaison worker. Unfortunately, these individuals, essentially as a result of the fact that they are based in the institutions, and given that each of the institutions have expressed concerns regarding staff resourcing deficits, have ended up trying to develop community contacts and link with resources on top of additional institutional duties and responsibilities.

Accordingly, CAEFS remains of the opinion that at least one community-based liaison worker is required in each of the regions. Furthermore, given the history of Elizabeth Fry societies, in terms of community development, networking, regional advocacy and service provision, the CAEFS membership is particularly well placed in terms of expertise and experiential background to provide such services. As such, we remain of the view that such positions should be contracted by CSC in each of CSC's five regions. This and the following suggested actions were envisioned as part of the implementation plans that were to be developed or adopted by CSC following the tabling in 1990 of the report of the Task Force on Federally Sentenced Women, *Creating Choices*. The extensive research conducted by and for the Task Force, as well as subsequent research and planning activities conducted by the Federally Sentenced Women Program, reinforce the validity of this approach.

Minimum Security

As a result of CSC's decision to enhance the static security measures in all of the regional prisons and at the Okimaw Ohci Healing Lodge, security fences were erected, razor wire, new cameras and other security devices were installed. The result is that women classified as minimum and medium security prisoners are now subject to the same perimeter security.

In CAEFS' opinion, this situation creates a significant distinction between the treatment of women and men who are classified as minimum security prisoners. Minimum security men live in prisons without fences. This distinction represents more than a difference in the physical structure, but can and does impact the community release options of women, in terms of the availability of work releases, temporary absence passes, employment opportunities and other release planning, as well as the likelihood of favourable consideration by the National Parole Board.

Since women prisoners pose minimal risk to the safety of the public within the meaning of s. 17 of the Regulations and therefore have lower security requirements than men, there should be increased opportunities for progressive experimentation with respect to dynamic security, temporary absence and community release options within women's corrections. CAEFS remains of the view that, at the very least, federally sentenced women classified as minimum security prisoners should live in houses situated outside the fences of the regional prisons as is the case for minimum security men. There is no operational reason why this could not be accomplished at the regional prisons in the same way that the Isabel MacNeil House operates outside the walls of the Prison for Women in Kingston.

Indeed, the entire women's prison population in the state of Minnesota, from minimum to maximum security, mental health and remand prisoners, are all housed in the unfenced Minnesota Correctional Facility - Shakopee. Shakopee was the prison that the Task Force on Federally Sentenced Women and the FSWP utilized as a model for the new regional prisons for women.

Women with Mental Health Capacity and/or Other Treatment Needs

To start with, the confinement of women identified as having mental health needs at the regional prisons, rather than in separate and/or isolated facilities, is bound to make it more likely that they may be eventually integrated into the general prison population. Further, it increases the likelihood that they will enjoy a much easier, less stressful transition than would be the case if they continue to face the necessity of transferring from one institution to another, as is currently the situation for women in the Prairie and Atlantic regions. Any approaches which ease the transition phases are extremely important considerations for women who are regarded as having significant mental health, capacity and/or treatment needs.

Appropriate institutional and community-based treatment services, as well as supported community living and meaningful employment and educational opportunities, especially vocational training, are some of the most crucial programming components required to enhance the likelihood of successful community integration for all federally sentenced women. In addition, appropriate treatment services must be developed or contracted for federally sentenced women with treatment needs.

In accordance with the philosophy of Creating Choices, community-based services should be looked to as a first priority in terms of meeting women's needs. Women's centres, rape crisis centres, drug and alcohol rehabilitation services, sheltered workshops and mental health services are some examples of the types of resources which should be contracted with by the CSC, rather than institutionally developed.

Some of CAEFS members are particularly interested in developing and providing enhanced residential and community support services with and for federally sentenced women who are identified as having high needs. Treatment-specific resources can and should be designed and developed, particularly for women with mental health, capacity and treatment needs. This will require a new means of funding, monitoring and evaluating such services, in order to maximize the likelihood of their success.

Day Parole Options

Legal opinions received by CAEFS confirm that although National Parole Board (NPB) and CSC policies anticipate that those on day parole will be housed in community correctional centres or community-based residential facilities, legal reporting requirements do not necessitate such residential options. Indeed, reporting requirements could be accommodated by alternative residential arrangements. Substance abuse and mental health treatment placements, day reporting centres, satellite units and other accommodation options, combined with community supervision contracts.

Given the obvious need to coordinate efforts in this regard with the NPB, CAEFS proposes that CSC, CAEFS and the NPB examine this area in detail, with a view to determining whether in fact current policy may be adapted to meet the needs of federally sentenced women, or whether alternative strategies must be employed. While CAEFS would prefer to be able to explore and pursue options in conjunction and collaboration with CSC and the NPB, we will persevere in this respect even if collaborative efforts are not ultimately feasible.

Community Release Pilot Project

As indicated above, CAEFS is of the opinion that residential release options for federally sentenced women released on day parole, statutory release with residency requirements, et cetera, must be provided in each Canadian province. CAEFS membership has committed itself to be part of the development and delivery of such services. To this end, we are proposing that CSC contract with CAEFS to conduct pilot projects in this regard. Commencing in the Atlantic and Prairie regions, CAEFS proposes initiating a project to achieve the following:

- work in conjunction with community and institutional staff to identify the needs of federally sentenced women in the region;
- assess the existing resources available, as well as service delivery gaps in the provinces within each respective region;
- consult, enhance and/or develop linkages and engage municipal, provincial and federal governmental departments and non-governmental community-based organizations and resources, particularly First Nations/Aboriginal groups and services;
- propose community residential options for the individual provinces in the respective regions;
- develop plan, including an evaluative mechanism, for the implementation of the proposed community residential options.

CAEFS anticipates that the pilots could be conducted within a 12-18 month period. Ideally, we would like to commence pilots in the Atlantic and Prairie regions by September 1998. Simultaneously, we recommend that the following efforts be undertaken in the other three CSC regions:

- Quebec Region - support for the development by the Elizabeth Fry Societies of Québec of small satellite residential centres units to supplement the provision of halfway house beds via la Maison Thérèse Casgrain in Montréal;
- Ontario Region - address the financial inadequacies of current halfway house funding formulae; develop plans for the enhancement of community support services and treatment options; provide resource and accommodation models for residential services for women emerging from institutionally based mother-child programs, as well as for those who are re-connecting with their children upon release;

- Pacific Region - in conjunction with broader examinations of the Exchange of Services Agreement between CSC and the British Columbia Ministry of Corrections vis-a-vis the provision of correctional services for federally sentenced women in the Pacific Region, examine the specific residential needs, of federally sentenced women in B.C., funding arrangements, and release policies, services and practices employed by the Burnaby Correctional Centre for Women; implement the recommendations of the B.C. Release Housing Program for Women (completed August 1996).

Moving into the Future

In addition to the foregoing, CAEFS remains committed to ensuring that CSC institutional and community staff, Elizabeth Fry staff and volunteers, women who are or have been subject to federal sentence, as well as other governmental and non-governmental providers of services with and for women, are involved in order to ensure that resources are developed utilizing the best available experience and expertise. CAEFS public profile, network of coalition partners amongst women's, Aboriginal, and social justice groups, and ongoing training and public education activities will enhance such efforts.

Ten years after the Daubney Committee designated the need for community resources for federally sentenced women as critical, CAEFS looks forward to a speedy shift into the implementation of same. We look forward to working with CSC to launch the aforementioned pilot projects.

July 7, 1998