

March 8, 2001

Ms. Michelle Falardeau-Ramsay
Chief Commissioner
Canadian Human Rights Commission
344 Slater Street, 8th Floor
Ottawa, Ontario
K1A 1E1

Dear Ms. Falardeau-Ramsay:

Re: Complaint Regarding the Discriminatory Treatment of Federally Sentenced Women by the Government of Canada

On behalf of the Canadian Association of Elizabeth Fry Societies (CAEFS), I am writing to register our complaint about the discriminatory treatment of federally sentenced women at the hands of the Canadian government. CAEFS is requesting that the Commission conduct a broad-based, systemic review and issue a special report, per s. 61(2) *Canadian Human Rights Act*, regarding the treatment of women serving federal terms of imprisonment. This complaint is made on the grounds that the manner in which the women prisoners are treated is discriminatory, as it contravenes several of the prohibited grounds articulated in s. 3(1) of the *Canadian Human Rights Act*.

CAEFS is concerned about the discrimination on the basis of sex that is faced by women throughout the system, especially those housed in segregated maximum security units in men's prisons. In addition, we are very concerned about the discrimination on the basis of race that is the particular experience of Aboriginal and other racialized women, as well as discrimination on the basis of disability that is experienced by federally sentenced women with cognitive and mental disabilities.

This complaint builds upon and supports the complaint of our member society, the Elizabeth Fry Society of Saskatchewan. In addition to the material that is already filed with respect to the aforementioned complaint, and previous reports of your commission on the issues of Aboriginal women prisoners in particular, we refer you to the following further documentation of the nature and extent of the discrimination on the basis of sex, race and disability experienced by federally sentenced women in Canada:

1. Report of the Standing Committee on Justice and Human Rights Regarding the Five Year Review of the *Corrections and Conditional Release Act*;
2. Annual Reports of the Correctional Investigator, particularly the 1999-2000 report;
3. Madam Justice Arbour's Report - Commission of Inquiry into Certain Events at the Prison for Women in Kingston;
4. Bridging the Cultural Divide. Special Report of the Royal Commission on Aboriginal Peoples, 1997;
5. Report to the United Nations of the National Association of Women in the Law (NAWL) *Canadian Women and the Social Deficit: A Presentation to the International Committee on Economic, Social and Cultural Rights*;
6. March 1997 Report of the Correctional Service of Canada Task Force on Segregation - *Commitment to Legal Compliance, Fair Decisions and Effective Results*;
7. Reports of the Correctional Service of Canada Working Group on Human Rights - *Human Rights and Corrections: A Strategic Model* (December 1997) and *Human Rights in Community Corrections* (May 1999);
8. *Federally Sentenced Aboriginal Women in Maximum Security: What Happened to the Promises of "Creating Choices"?* Report of SkyBlue Morin for the Correctional Service of Canada (CSC);
9. *Giving Us A Chance*, Report of Dr. Margo Rivera for the Correctional Service of Canada and CSC's Mental Health Strategy for Federally Sentenced Women;
10. National Investigative Reports of the Correctional Service of Canada with respect to February, March, April and December 2000 incidents in the Segregated Maximum Security Unit in Saskatchewan Penitentiary, Prince Albert, and the Regional Psychiatric Centre in Saskatoon, Saskatchewan;

11. Position of the Canadian Association of Elizabeth Fry Societies (CAEFS) Regarding the Classification and Carceral Placement of Women Classified as Maximum Security Prisoners;
12. Annual Reports of the Canadian Association of Elizabeth Fry Societies;
13. Correspondence to Solicitor General MacAulay and CSC from CAEFS;
14. "50 Years of Canada's International Commitment to Human Rights: Millstones in Correcting Corrections for Federally Sentenced Women", Canadian Woman Studies, v. 20, n. 3 (Fall 2000).

With the exception of the CSC internal investigations, we understand that the foregoing documentation has all been previously forwarded to the Canadian Human Rights Commission. Should this not be the case, we would be happy to assist you in obtaining copies of any documents to which you do not currently have access. In addition, we are available to meet at a time of mutual convenience to discuss this matter further. Please do not hesitate to contact me at your earliest convenience should you have any questions or desire any additional information regarding this complaint.

Sincerely,

Kim Pate
Executive Director

- c. Correctional Service of Canada for the Government of Canada
Office of the Correctional Investigator
CAEFS' Membership and Human Rights Coalition Partners