

Health and Mental Health

Health

- The Correctional Investigator reports that health care is the area of concern most frequently identified by prisoners in Canada. This reality has not changed since 2006-2007.¹
- Social determinants of health provide a helpful framework for examining women's health issues. For example, women have lower incomes than men, and also report more chronic diseases than men. The higher a woman's socio-economic status, the more likely she is to experience better overall health and the less likely she is to experience premature mortality.²
- Prisoners experience high rates of HIV/AIDS and Hepatitis C infection. The rate of HIV/AIDS in prison is 7-10 times higher, and the rate of Hep C infection is 30 times higher than that of the general population.³
- The rate of HIV/AIDS amongst federally sentenced women is 5.5%, while the rate of Hep C infection is 30.3%.⁴ Rates of HIV/AIDS and HCV are higher amongst Indigenous women (11.7% and 49.1%, respectively).⁵
- Social exclusion of Indigenous peoples and health care discrimination is reflected in the disproportionately high rate of HIV/AIDS transmission in Indigenous women.⁶ As elsewhere in the world, women in Canada who are most disadvantaged and marginalized are also most vulnerable to HIV.
- HIV-positive women are at an increased risk for both cervical cancer and human papilloma virus (HPV).⁷ Women's social and sexual inequality interferes with their ability to negotiate safer sex practices such as asking their partners to wear condoms, which contributes to their increased risk of infection.⁸
- Women are more prone to get sick, experience greater risk of disability, and have more mental health concerns than men. Women's health issues are linked to the feminization of poverty, and their disproportionate experiences of physical and sexual violence. The ever shrinking social safety net also means that women's access to healthcare, addictions and mental health services is diminished.⁹

¹ The Correctional Investigator Canada, *Annual Report of the Office of the Correctional Investigator 2011-2012* (Ottawa: Minister of Public Works and Government Services Canada, 2012) at Table E, online: The Correctional Investigator of Canada <<http://www.oci-bec.gc.ca/cnt/rpt/pdf/annrpt/annrpt20122013-eng.pdf>>.

² Toba Bryant, *Housing and Income as Social Determinants of Women's Health in Canadian Cities*, Toronto: Women's Health and Urban Life, 2009 at 14.

³ Public Health Agency of Canada, *Fact Sheet: People in Prison*, online: Public Health Agency of Canada <<http://www.phac-aspc.gc.ca/aids-sida/pr/sec4-eng.php>>. The Correctional Investigator Canada, *Annual Report of the Office of the Correctional Investigator 2011-2012* (Ottawa: Minister of Public Works and Government Services Canada, 2012) at page 16, online: The Correctional Investigator of Canada <<http://www.oci-bec.gc.ca/cnt/rpt/pdf/annrpt/annrpt20122013-eng.pdf>>.

⁴ Canadian HIV/AIDS Legal Network, *Women in Prison, HIV and Hepatitis C*, online: Canadian HIV/AIDS Legal Network <<http://www.aidslaw.ca/site/women-and-hiv-women-in-prison-hiv-and-hepatitis-c/>>.

⁵ Canadian HIV/AIDS Legal Network, *Women in Prison, HIV and Hepatitis C*, online: Canadian HIV/AIDS Legal Network <<http://www.aidslaw.ca/site/women-and-hiv-women-in-prison-hiv-and-hepatitis-c/>>.

⁶ Ashley Wynne & Cheryl L. Currie, "Social Exclusion as an Underlying Determinant of Sexually Transmitted Infections amongst Aboriginal Canadians" (2011) 9:1 *Pimatisiwin: A Journal of Aboriginal and Indigenous Community Health* 115 at 33, online: Pimatisiwin <<http://www.pimatisiwin.com/online/wp-content/uploads/2011/08/06WynneCurrie.pdf>>.

⁷ The Source for Women's Health, *HIV/AIDS*, online: Women's Health Data Directory <<http://www.womenshealthdata.ca/category.aspx?catid=31>>.

⁸ Canadian HIV/AIDS Legal Network, *Women and the Criminalization of HIV Non-Disclosure*, online: Canadian HIV/AIDS Legal Network <http://www.aidslaw.ca/site/wp-content/uploads/2013/04/Women_crim-ENG.pdf>.

⁹ Juha Mikkonen & Dennis Raphael, *Social Determinants of Health: The Canadian Facts*, (Toronto: York University School of Health Policy and Management, 2010) at page 34, online: The Canadian Facts <http://www.thecanadianfacts.org/The_Canadian_Facts.pdf>.

Mental Health

- There are five main components to positive mental health: (1) the ability to enjoy life, (2) the ability to deal with life's challenges, (3) emotional well-being, (4) spiritual well-being, and (5) social connections to culture, equity, dignity, and social justice.¹⁰
- An estimated one in three women (29%) entering prison are diagnosed with mental health issues; this represents a doubling of the rate since 1996-1997.¹¹
- Federally sentenced women have high rates of self-harm and suicide attempts.¹² 71% of women classified as maximum security prisoners have attempted suicide.¹³
- Half of women (50%) in prison have histories of self-harm.¹⁴ Federally sentenced women accounted for 36% of all self-harm incidents in federal prisons. Almost half (45%) of these incidents involved Indigenous women.¹⁵
- Self-injurious behaviour amongst women is rarely indicative of suicidal ideation. Women mostly harm themselves as a means of coping with experiences of abuse,¹⁶ stress,¹⁷ and/or mental health issues.¹⁸
- Women with mental health issues are likely to experience uses of force and segregation.¹⁹ Segregation can cause irreversible psychological damage to prisoners²⁰ and exacerbates women's self-injurious behaviour.²¹ One third of all self-injuries occurred in these units.²²
- The United Nations has called for a prohibition on the use of segregation for youth or those with mental health issues.²³
- Treatment in community-based facilities could save an estimated \$12 million per year in health care expenses.²⁴

¹⁰ Canadian Institute for Health Information, *Improving the Health of Canadians: Exploring Positive Mental Health*, Ottawa: CIHI, 2009, online: Canadian Institute for Health Information <http://www.cihi.ca/cihi-ext-portal/pdf/internet/improving_health_canadians_en>.

¹¹ Correctional Service Canada, *Mental Health Strategy: Quick Facts*, online: Correctional Service Canada <<http://www.csc-ccc.gc.ca/publications/005007-3020-eng.shtml>>.

¹² Jan Heney (January 1990), "Report on Self-Injurious Behaviour in the Kingston Prison for Women", online: Correction Services Canada <<http://www.csc-ccc.gc.ca/publications/fsw/selfinjuries/toce-eng.shtml>>.

¹³ The Correctional Investigator Canada, *Annual Report of the Office of the Correctional Investigator 2006-2007* (Ottawa: Minister of Public Works and Government Services Canada, 2007) at page 13.

¹⁴ The Correctional Investigator Canada, *Annual Report of the Office of the Correctional Investigator 2011-2012* (Ottawa: Minister of Public Works and Government Services Canada, 2012) at page 7, online: The Correctional Investigator of Canada <<http://www.oci-bec.gc.ca/cnt/rpt/pdf/annrpt/annrpt20122013-eng.pdf>>.

¹⁵ The Correctional Investigator of Canada, *Risky Business: An Investigation of the Treatment and Management of Chronic Self-Injury among Federally Sentenced Women* (Ottawa: Minister of Public Works and Government Services Canada, 2013) at page 3, online: The Correctional Investigator of Canada <<http://www.oci-bec.gc.ca/cnt/rpt/pdf/oth-aut/oth-aut20130930-eng.pdf>>.

¹⁶ Office of the Correctional Investigator, *Summary of Issues and Challenges in the Management of Prison Self-injury*, online: Office of the Correctional Investigator <<http://www.oci-bec.gc.ca/cnt/comm/presentations/presentationsAR-RA1112Info-eng.aspx>>.

¹⁷ The Correctional Investigator Canada, *Annual Report of the Office of the Correctional Investigator 2011-2012* (Ottawa: Minister of Public Works and Government Services Canada, 2012) at page 8, online: The Correctional Investigator of Canada <<http://www.oci-bec.gc.ca/cnt/rpt/pdf/annrpt/annrpt20122013-eng.pdf>>.

¹⁸ The Source for Women's Health, *Self-harm*, online: Women's Health Data Directory <<http://www.womenshealthdata.ca/category.aspx?catid=185&rt=1>>.

¹⁹ Elizabeth Bingham and Rebecca Sutton, *Cruel, Inhuman and Degrading? Canada's Treatment of Federally Sentenced Women with Mental Health Issues* (Toronto: University of Toronto Faculty of Law, 2012) at page 2, online: DAWN Canada <http://www.dawncanada.net/main/wp-content/uploads/2013/12/Cruel-and-Inhuman_FINAL_Print.pdf>.

²⁰ Canadian Human Rights Commission (CHRC), *2012 Annual Report* (Ottawa: Minister of Public Works and Government Services Canada, 2012) at page 25, online: CHRC <http://www.chrc-ccdp.ca/sites/default/files/chrc-annual-report-2012_0.pdf>.

²¹ Debra Parkes, "'The Hole' is hell for prisoners" *Winnipeg Free Press* (21 March 2013), online: Winnipeg Free Press <<http://www.winnipegfreepress.com/opinion/analysis/the-hole-is-hell-for-prisoners-199303881.html>>.

²² The Correctional Investigator Canada, *Annual Report of the Office of the Correctional Investigator 2011-2012* (Ottawa: Minister of Public Works and Government Services Canada, 2012) at page 8, online: The Correctional Investigator of Canada <<http://www.oci-bec.gc.ca/cnt/rpt/pdf/annrpt/annrpt20122013-eng.pdf>>.

²³ Juan Méndez, *Interim report of the Special Rapporteur of the Human Rights Council on torture and other cruel, inhuman or degrading treatment or punishment*, UN GAOR, 66th Sess., UN Doc A/66/268 (2011).

Older Women

- One in five prisoners in Canada is over the age of 50,²⁵ yet there is no comprehensive health care strategy for older prisoners, much less older women in prison.²⁶
- In Canada, homelessness is on the rise amongst older women. Homelessness accelerates the aging process, and is likely to include inadequate nutrition, exposure to extreme weather, barriers to health care and the early onset of chronic illnesses – all of which leads to shorter lifespans.²⁷ Homeless women are also at greater risk for exposure to partner and stranger violence.²⁸
- Criminalization and imprisonment are inappropriate responses to women's homelessness.²⁹

Addictions and Substance Use

- Fetal Alcohol Spectrum Disorder (FASD) is an umbrella term for various diagnoses related to prenatal alcohol exposure. This term encompasses Fetal Alcohol Syndrome (FAS), Partial FAS (pFAS), Alcohol-related Neurodevelopmental Disability (ARND), and Alcohol-Related Birth Defects (ARBD).³⁰
- There must be consideration of other situational and social risk factors beyond alcohol consumption that are related to FASD, such as: socioeconomic status and the corresponding lack of access to appropriate nutrition and health care; poor water and food quality; and, experiences of physical and sexual violence.³¹
- Strategies that blame individual mothers for their alcohol use fail to deter drinking, and miss important opportunities to provide supportive health care.³²
- According to the Correctional Investigator, more than 50% of women in prison report a current or previous addiction.³³ Researchers estimate that more than 90% of women in prisons have used substances.³⁴
- Gender is central to an understanding of substance use. For women, drugs often provide a means of coping with experiences of sexual and physical violence.³⁵ As many as 90% of

²⁴ Rebecca Lindell, "Ottawa mum about a proposal to treat mentally ill female offenders" *Global News* (05 December 2012), online: Global News <<http://globalnews.ca/news/315665/ottawa-mum-about-a-proposal-to-treat-mentally-ill-female-offenders/>>; *Proceedings of the Standing Senate Committee on Legal and Constitutional Affairs*, 41st Parl. 1st sess., No. 13 (23 February 2012).

²⁵ Public Safety Canada, *2012 Annual Report: Corrections and Conditional Release Statistical Overview* (Ottawa: Minister of Public Works and Government Services Canada, 2012) at page 47, online: Public Safety Canada <<http://www.psc.gc.ca/public-safety-canada-2012-annual-report-corrections-and-conditional-release-statistical-overview>>.

²⁶ The Correctional Investigator Canada, *Annual Report of the Office of the Correctional Investigator 2011-2012* (Ottawa: Minister of Public Works and Government Services Canada, 2012) at page 14, online: The Correctional Investigator of Canada <<http://www.oci-bec.gc.ca/cnt/rpt/pdf/annrpt/annrpt20122013-eng.pdf>>.

²⁷ Natalie Waldbrook, "Formerly Homeless, Older Women's Experiences with Health, Housing, and Aging" (2013) 25:4 *Journal of Women & Aging* 339 at 6.

²⁸ YCWA Canada, *Homelessness Now a "Women's Issue"*, online: YCWA Canada <<http://ywcacanada.ca/en/media/press/53>>.

²⁹ YCWA Canada, *Homelessness Now a "Women's Issue"*, online: YCWA Canada <<http://ywcacanada.ca/en/media/press/53>>.

³⁰ Svetlana Popova et al., "Fetal Alcohol Spectrum Disorder Prevalence Estimates in Correctional Systems: A Systematic Literature Review" (2011) 102:5 *Canadian Journal of Public Health* 336 at 1.

³¹ Nancy Poole, *Mother and Child Reunion: Preventing Fetal Alcohol Spectrum Disorder by Promising Women's Health*, online: British Columbia Centre of Excellence for Women's Health <http://bccewh.bc.ca/wp-content/uploads/2012/05/2003_Mother-Child-Reunion.pdf>.

³² British Columbia Centre of Excellence for Women's Health, *Women-Centred Harm Reduction*, online: British Columbia Centre of Excellence for Women's Health <http://bccewh.bc.ca/wp-content/uploads/2012/05/2010_GenderingNatFrameworkWomencentredHarmReduction.pdf>.

³³ The Correctional Investigator Canada, *Annual Report of the Office of the Correctional Investigator 2011-2012* (Ottawa: Minister of Public Works and Government Services Canada, 2012) at page 7, online: The Correctional Investigator of Canada <<http://www.oci-bec.gc.ca/cnt/rpt/pdf/annrpt/annrpt20122013-eng.pdf>>.

³⁴ Shoshanna Pollack, *Locked In, Locked Out: Imprisoning Women in the Shrinking and Punitive Welfare State* (Waterloo: Wilfrid Laurier University, 2008) at 14, online: Elizabeth Fry Society of Ottawa <<http://www.efryottawa.com/documents/LockedInLockedOut-SPollockresearchreport.pdf>>.

women relate their use of substances to their attempts to anaesthetize themselves to their experiences of violence.³⁶

- With the evisceration of publicly funded addiction, counselling and mental health services in communities, jails and prisons are increasingly the default for the lack of treatment.³⁷
- Two thirds of women with substance use issues report concurrent mental health issues.³⁸
- In federal prisons, 87% of women’s correctional ‘treatment’ plans include medication orders for prescription drugs.³⁹

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³⁶ British Columbia Centre of Excellence for Women’s Health, *Violence, Trauma, and Substance Use*, online: Coalescing on Women and Substance Abuse <<http://www.coalescing-vc.org/virtualearning/documents/trauma-informed-online-tool.pdf>>.

³⁷ Shoshanna Pollack, *Locked In, Locked Out: Imprisoning Women in the Shrinking and Punitive Welfare State* (Waterloo: Wilfrid Laurier University, 2008) at 14, online: Elizabeth Fry Society of Ottawa <<http://www.efryottawa.com/documents/LockedInLockedOut-SPollockresearchreport.pdf>>.

³⁸ Correctional Service Canada, *Mental Health Strategy: Quick Facts*, online: Correctional Service Canada <<http://www.csc-ccc.gc.ca/publications/005007-3020-eng.shtml>>.

³⁹ Jennifer M. Kilty, “‘It’s like they don’t want you to get better’: Psy control of women in the carceral context” (2012) 22:2 *Feminism & Psychology* 163 at 21.

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