



West Coast Prison Justice Society

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Ms. Mary Gusella
Chief Commissioner
The Canadian Human Rights Commission
344 Slater Street, 8th Floor
Ottawa, ON K1A 1E1

Dear Ms. Gusella:

RE: Federally Sentenced Women

The West Coast Prison Justice Society is a non-profit society incorporated in 1994 under the laws of British Columbia. Our purposes include the promotion of the rule of law within prisons and penitentiaries, and the fair and equal treatment of prisoners. We publish a newsletter of legal information of interest to prisoners and parolees in the province. We are developing an updated version of John W. Conroy's Canadian Prison Law, which will be accessible through the internet. Through a contract with the Legal Services Society of BC, our Prisoners' Legal Services office provides legal services to prisoners.

We are writing to add our voice to those concerned about the unequal treatment of federally sentenced women in Canada. We support the provision of a forum for the Commission to receive submissions from women who have been imprisoned in Canada and others who advocate on their behalf.

In particular, we wish to commend the experience and expertise of Strength in Sisterhood and the Canadian Association of Elizabeth Fry Societies. These organisations have proven their commitment to ameliorating the inequalities experienced by federally sentenced women in Canada.

Federally sentenced women in British Columbia have long experienced discrimination on the basis of sex. Held in provincial custody, they have not had the same access as men to lower security institutions and half way houses, programming, education, or family contact. On the eve of the development of the new multi-level penitentiary for women in British Columbia, the Commission has a unique opportunity to effect positive change for federally sentenced women.

The Correctional Service of Canada plans for the new women's penitentiary to include a new minimum security unit located within the same secure perimeter as the maximum security unit. Taken together with the lack of space for women in half way houses, this means that federally sentenced women do not have the same opportunities as men to move to lower security. As a further consequence, when the women appear before the National Parole Board, they will not have been able to demonstrate their suitability for life in the community, beyond the walls.

This plan clearly places women in a position of disadvantage in relation to men. Women in these circumstances should well expect to spend more time with less liberty than men serving the same sentence. Once the physical plant is built, it will of necessity dictate women's opportunities for liberty. On the contrary, women's right to equality and liberty, and the community's need for security, should dictate the design of the new penitentiary.

Federally sentenced women in British Columbia have clearly been disadvantaged by the discriminatory practices of the Correctional Service of Canada. Presently, the Commission has a rare opportunity to correct past injustices by providing direction to the CSC in its planning and policies for this new penitentiary.

Sincerely,

WEST COAST PRISON JUSTICE SOCIETY

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Michael Jackson, QC
President