

Solitary Confinement 'Not Safe, Nor is it Humane'

Please note that CAEFS is working with these groups on this matter.

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Use of solitary confinement in federal penitentiaries has spiralled out of control, threatening the rights and well being of thousands of inmates, a prison ombudsman has found.

Correctional Investigator Howard Sapers found that more than 7,600 convicts were thrown into solitary-confinement cells last year - including an unknown number who suffer from mental illness.

"It is a classic Catch-22 scenario," Mr. Sapers said in his 2008-09 annual report. "The practice of confining offenders with mental disorders to prolonged periods of isolation and deprivation must end. It is not safe, nor is it humane."

Mr. Sapers said that the use of isolation as a tool to manage the 13,000 inmates under the control of Correctional Services Canada, "is contrary to law and practice. It is not good correctional practice."

The Canadian Civil Liberties Association and the Criminal Lawyers' Association said yesterday that they intend to use Mr. Sapers's findings to force a reduction in the use of solitary confinement and the creation of an independent oversight body.

"A law-and-order agenda must have law in it - not just order," said CCLA general counsel Nathalie Des Rosiers.

Lawyers association president Frank Addario said the groups may resort to legal action to end the "torture" of thousands of inmates in solitary-confinement cells.

"No judge that I know of has ever sentenced someone to torture in Canada," Mr. Addario said. "One doesn't have to be in favour of mollycoddling prisoners to say that they are entitled to basic rights, which include being free from torture and infliction of cruel and unusual punishment as part of their sentence."

In his report, Mr. Sapers found that the total number of inmates in solitary confinement jumped by more than 400 over 2004-2005.

The length of time they spent in isolation has also grown. In 1997, seven per cent spent more than 60 days in solitary confinement. **Last year, almost 37 per cent of those in solitary confinement spent more than 60 days there.**

On a particular day that Mr. Sapers chose to study, April 12, 177 inmates had spent more than 120 days in solitary confinement.

Psychiatric studies have repeatedly found that inmates become increasingly unhinged under conditions of isolation. They have trouble concentrating and frequently experience hallucinations, distorted perception and panic.

"Ultimately, a complete lack of social contact makes it difficult to distinguish what is real from what is not, or what is external from what is internal," said an article in a 2008 edition of the International Journal of Offender Therapy and Comparative Criminology.

The article said that inmates feel a sense of intolerable frustration, anger and rage, which may lead to fantasies involving violent revenge against their jailors. "Psychosis, suicidal behaviour and self-mutilation are commonly seen among prisoners in long-term solitary confinement," it said.

The ombudsman's report depicted mentally ill inmates deprived of human company as suffering from illogical thinking, delusions or paranoia. He said that their irrational, compulsive behaviour frequently sparks confrontations with staff or other inmates, causing them to being kept in isolation even longer.

He said that Correctional Services Canada has adopted euphemisms - such as "transitional units" or "enhanced living units" - in an attempt to disguise its excessive use of solitary confinement.

In the case of some isolation units, Mr. Sapers said that no written documentation is required to explain why inmates are placed there. Nor, are inmates told what they must do to earn their return to the general prison population.

Christa McGregor, a CSC spokeswoman, said yesterday that the notion of solitary confinement "can conjure up images that are not an accurate portrayal of what segregation is in our system. It is essentially to remove them from the general inmate population for their own safety or for the general good of the institution."

Isolation cells are not used as punishment, Ms. McGregor said: "We see it as a tool to help us ensure the safety of staff and inmates and security of the institution. We see it as a tool to maintain the security of the institution."

In a 1996 report on a violent incident at Kingston's Prison for Women, inquiry commissioner Louise Arbour urged the use of external oversight of solitary confinement. **Ms. Arbour, later a Supreme Court of Canada justice, called the use of solitary confinement "a profound failure" of the correctional system.**

SOLITARY SNAPSHOT

A snapshot of a single day in the federal prison system this year - April 12, 2009 - shows the number of offenders that were in some form of "administrative segregation" and the length of time they were to stay there.

Days segregated	Prisoners
Fewer than 30	341
30-60	196
61-90	92
91-120	42
More than 120	177

Source: CSC-NPB Data Warehouse

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