

*VERSION MAI 2005*

*My personal guide to*

# **Administrative and Disciplinary Segregation**

**Produced by la Société Elizabeth Fry du Québec**

## FOREWORD

We are particularly proud to present this new publication. *My Personal Guide to Administrative and Disciplinary Segregation* is a brochure of legal information, produced in both French and English, intended for women and men serving federal sentences in Canada. The brochure is an information tool for individuals who are incarcerated and may have to spend time in an isolation unit in a Canadian penitentiary.

We offer this guide so that you will have at your fingertips all the information you need to make good decisions while in a segregation unit.

“Preventive or disciplinary detention constitutes an extreme privation of liberty. Notably, the Quebec ombudsman has recognized that isolation may have serious physical and psychological effects on an individual<sup>1</sup>.”

We also invite you to explore this publication, where you will find the legal rules surrounding preventive and disciplinary detention, the institutions’ obligations and duties governing isolation, and your recourse in the event of abuse or non-respect of your rights.

We hope that, as a result, this brochure will become a useful tool for those in prison as well as all those who are interested in the rights of women and men serving sentences in a Canadian penitentiary.

The Elizabeth Fry Societies and the many people who work with them have always been preoccupied with the situation of women and men in the criminal justice system. Together with several partners, they work to promote the rights of the incarcerated, defend their interests, and sensitize both the general public and the decision makers as to their social and penal reality.

Conceptualization of this brochure stems from the involvement, as volunteers, of many individuals, working together. **Many, many thanks** to Rita Francis who, through her determination, her involvement and her professionalism brought this guide into being; to Marie-France Laforce who supervised her work, and to the team of proofreaders and translators: Liliane Aflalo, Michel Dunn, Anne Johnston, Josiane Luys and Réjeanne Martin. This brochure has also become, along the way, an information guide enriched by the expertise of each of those who revised it. We would like to underscore our **heartfelt thanks** to the following: Jean-Claude Berhneim, Daniel Cournoyer, Patrick Healy, Gayle Horrii, Warren McDougall, Daniel Mérineau, Kim Pate and Sylvie Théberge. From Quebec to British Columbia, you contributed generously to the task at hand by giving your time and sharing your expertise in order to make this brochure a document of rigorous legal information.

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<sup>1</sup> Report of le Ministère de la sécurité publique  
[http://www.ombuds.gouv.qc.ca/fr/publication/rap\\_annuel/rappo99/pdf/sect](http://www.ombuds.gouv.qc.ca/fr/publication/rap_annuel/rappo99/pdf/sect)

We would also like to underscore the contribution of the women of Joliette Institution and Maison Thérèse-Casgrain who were willing to read the brochure throughout the process of its creation. Your encouragement meant a lot to us and helped give us the energy necessary to bring this project to fruition.

And finally, we would like to extend our gratitude to the **Congregation of the Sisters of Saint Anne**, who provided the financial means to carry out this project. We would particularly like to thank their representative Réjeanne Martin who has supported us for a number of years. Her unconditional engagement in our mission is exceptional, and we owe her a great deal.

Ruth Gagnon  
Executive Director

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## **Note**

- This booklet consists of general regulations only.
- Moreover, each institution in Canada is different and has regulations specific to its administration. After having read this booklet, you will have to research so as to have information as to the regulations that apply to the institution you are in.
- It is more useful to know your rights before a problematic situation arises.
- This booklet cannot heal anything. It is best to practice prevention, before ambiguous situations and simple misunderstandings are aggravated.

**In order to lighten this document, the masculine gender is used in this text.**

SEGREGATION  
**Your personal guide**  
*What you need to know about segregation*

## **Introduction**

### *Objective of this booklet*

This booklet was compiled especially for persons serving sentences in a federal institution in Canada. It is meant to be a tool to guide incarcerated persons, and equally to guide the inmates' committees or the peer supporters to furnish basic information concerning segregation.

Although you may have already received a *Guide* or a *Code of life*, this booklet's goal is to inform you of your rights in clear and simple words and in a style that is accessible. We also invite those close to you and your family to interest themselves in this aspect of the conditions of your detention.

This booklet consists of general regulations, related only to segregation. Within each institution in Canada, there are regulations specific to its administration. After reading this booklet, you will have to inform yourself about regulations that are applicable in the institution you are in. You can do this through communication with the staff, the inmates' committee or the peer supporters.

This booklet will give you an overview of segregation in the federal prison system. It will answer in particular the following questions:

- What is segregation?
- For what reasons can a person be placed in segregation?
- What are the conditions of segregation?
- What will a person be deprived of in segregation?
- What are the rights of a person in segregation?
- When a person is in segregation, can he consult a lawyer?
- Which avenues are can be used to contest being in segregation?
- Does a person have the right to ask to be segregated?

It is important to know that although you are placed in segregation, **this does not mean that you have no rights.** Knowing your rights can help you to know if your isolation is done in a legal manner and whether you have legitimate grounds to challenge your placement in segregation. It is also important to know **how** to complain in an efficient manner, **when** illegal situations come about.

Knowing your rights can also help you reduce the conflicts and the frustration related to the conditions of your detention. This knowledge can help you make sure your needs are met and help you prevent problematic situations from getting worse.

# *A few definitions*

## **Segregation**

*“Who goes in-to segregation?”*

The segregation cell is sometimes nicknamed the “hole”. The appearance of this cell can differ from one federal institution in Canada to another, but generally it is a cell of normal size in which the furnishings and the contents are reduced for security reasons. In most of the institutions, this cell is located in a section separate from other cells.

Quebec’s ombudsman has recognized that isolation can have serious physical and psychological effects on an incarcerated person. In all cases, segregation is an extreme measure, which should be used only as a last resort. Therefore it is important that inmates know and understand their rights and that incarcerated persons can, in all cases of segregation, consult a lawyer.

Each institution has its own specific regulations, particularly for the food, canteen, mail, library, hairdressing services, the showers and the procedure to follow so as to obtain your personal effects while in isolation. **Inform yourself as to these regulations by speaking to staff or to the inmates’ committee.**

It is important to understand the distinction between administrative segregation and disciplinary segregation: administrative segregation is imposed as a preventive measure, whereas disciplinary segregation is imposed as a punitive measure.

## **Administrative segregation**

The purpose of administrative segregation is to prevent an incarcerated person from being in contact with the prison population for **safety or security reasons**. An incarcerated person can be segregated either voluntarily or involuntarily, when the security of the institution or safety of any person(s) is in jeopardy.

The institution can impose involuntary administrative segregation when specific criteria are met:

- there are reasonable grounds to believe an incarcerated person has acted, has attempted to act or intends to act in a way that threatens the safety of any person or the security of the institution and that leaving the person in the open population would continue to jeopardize the security of the institution or safety of any person(s); or

- When the institution believes that the incarcerated person's presence in the general population will interfere with the investigation of a criminal or serious disciplinary offence; or

*For example, where there are reasonable grounds to believe an incarcerated person threatened individuals who witnessed a serious assault in the institution, he may be held in administrative segregation while the investigation is completed.*

- When the personal safety of the incarcerated person is in jeopardy within the prison population; **and**

The institutional head must be convinced **that there is no reasonable alternative** that will protect the safety or security concern at issue.

## **Administrative segregation at the incarcerated person's request?**

An incarcerated person can ask to be placed in segregation, or to stay in segregation, to protect his own personal safety.

**This doesn't mean he has the right to be placed in segregation according to a simple desire.** The criteria are the same as for involuntary, administrative segregation. He will have to explain the reasons why his safety is in jeopardy within the prison population and show that segregation is the only reasonable means of protection.

**If the criteria aren't met, the institution can refuse an incarcerated person's request for protective segregation.** If the institution refuses a request for administrative segregation, the person may appeal the negative decision through the grievance process.

## **Disciplinary segregation**

Disciplinary segregation is a punishment – a type of penalty – that can be imposed if an incarcerated person is found guilty, by a disciplinary court, of a **serious** disciplinary offence. This punishment can be imposed for the following purposes:

- To encourage incarcerated persons to behave in a way that follows the rules and promotes the good order of the penitentiary;
- To encourage incarcerated persons to respect rules and regulations, which contributes to their successful reintegration into the community.

Disciplinary segregation is one of the possible punishments when an incarcerated person is found guilty of having committed a serious disciplinary infraction. An Independent Chairperson hears serious offences. We will explain the disciplinary process in the sections that follow.

# *My rights in segregation*

## **What are my rights?**

### **In ADMINISTRATIVE SEGREGATION,**

**the incarcerated person has the same rights, the same privileges and the same conditions of confinement as incarcerated persons in the open population.**

#### **NOTES:**

1. The purpose of administrative segregation is to separate the incarcerated person from the rest of the prison population. Consequently, rights, privileges and conditions that can be enjoyed only in association with other prisoners may be restricted considerably.
2. However, the rights, privileges and conditions of normal detention must be adapted and accommodated within the limits of segregation and the limitations of the segregation area. In some cases it is possible, while evaluating the risk involved, to integrate the person into the prison population progressively.
3. Since administrative isolation is not a punishment, a person cannot lose privileges when placed in administrative isolation. This means normal access to cell effects, such as television, music, games, etc., will be accommodated.

### **IN DISCIPLINARY SEGREGATION,**

**the incarcerated person has the right to the same conditions of confinement as those in administrative segregation.**

#### **NOTES:**

1. A person in disciplinary segregation is being punished for having committed a serious disciplinary offence.
2. Disciplinary segregation can also include a loss of certain privileges as a punishment. The loss of privileges must target participation in recreational activities, such as watching television or listening to music. Only the Independent Chairperson can remove privileges, by making the order part of the sentence.

## IN CONSEQUENCE:

An incarcerated person, whether in administrative or disciplinary isolation, can have access to his parole officer, spiritual support services, a CSC psychologist, health services, peer support services or any other resource persons available in his institution.

He also is entitled to access the visits and the private family visits, unless there are reasonable grounds to believe that the safety of any person(s) or the security of the penitentiary would be threatened during the course of a visit. Where there is an identified risk, the institution must use the least restrictive measure necessary to protect safety and security.

He must be given the opportunity, by the staff, to make a written request to have his personal effects in his possession in the isolation cell.

Possibly the institution has a handbook concerning isolation. By reading it, you will come to know the specific rules applicable to the institution you are in.

The institution must give the incarcerated person reasonable access to available legal documentation. The institution must make Commissioner's Directives available for general access by all incarcerated persons. The law, being the Corrections and Conditional Release Act and its Regulations, must be made available on written request.

## The right to consult a lawyer

After the incarcerated person has been placed in isolation, the staff must inform him of his right to consult a lawyer.

The person can have access to a telephone to communicate with a lawyer in all cases of segregation, administrative or disciplinary. **However, it is possible that the institution cannot give such access immediately.** In such a case, the staff is obliged to give the person access to a telephone as soon as possible, within 24 hours. The staff can attempt to make an appointment with the lawyer for a telephone call, but the conversation between the person and his lawyer must remain confidential.

*"I don't have a lawyer!"*

The incarcerated person has the right to choose his own lawyer. Sometimes the institution has a list of the names of lawyers who practice corrections law. If not, another segregated person could refer him to a lawyer. As well, family and friends could help the incarcerated person find a lawyer with experience in corrections.

Some people have let it be known that they have had difficulty finding a lawyer. **It would therefore be best to take the necessary steps to find a lawyer before a problematic situation arises.**

***“What’s the purpose of calling a lawyer,  
I won’t be able to get out right away anyway?”***

It’s true the lawyer may not be able to ask that the person in isolation be placed back into the open prison population immediately. But it’s important that the person in isolation contact his lawyer as soon as possible. If a legal procedure is necessary, the lawyer will thus be able to start as quickly as possible.

The incarcerated person has the right to be assisted by a lawyer during a hearing for a serious disciplinary charge. Even if the incarcerated person intends to plead guilty to the charge, a lawyer can assist in making an appropriate presentation about the proper sentence.

**Do not wait until the situation has become intolerable or irreparable.** A lawyer can offer explanations to the person about his rights and the options of recourse. An isolated person may find it very valuable having counsel, notably try to find solutions to situations that he judges to be unsatisfactory.

### **Legal aid**

Certain services may be covered by provincial legal aid, such as consultations with a lawyer and the assistance of a lawyer at a disciplinary hearing. However, legal aid services are not standardized across Canada. The incarcerated person can ask his lawyer if the service he requires is covered by legal aid. If this is the case, the lawyer will get in touch with the legal aid office linked to the institution.

## **Rights of access to information**

### **In the case of administrative segregation**

When the institution decides to isolate a person in administrative segregation, the person has the right to be informed of the reasons leading to his isolation no later than the first working day following the isolation.

An isolated person has the right to be advised in writing, at least three days before attending any Segregation Review Board, the date of the hearing and any information that the Board will be considering at the hearing.

This person has also the right to be advised in writing of the Board’s recommendation to the institutional head and the reasons for the recommendation.

## **In the case of disciplinary segregation**

When an incarcerated person commits a disciplinary infraction and informal resolution is not an option, the staff must verbally inform the person that an incident report will be drafted and that he could be charged with a disciplinary offence.

Where the institutional head's delegate decides that the incident report warrants a charge, the incarcerated person must receive a copy of the notice of charge, within two days. This notice of charge must include:

- ❑ a description of the action(s) that led to the charge;
- ❑ the date, time and place the action(s) allegedly happened; and
- ❑ a summary of the evidence to be presented in the disciplinary hearing .

The disciplinary report allows the incarcerated person and his lawyer to be prepared with a defence during the hearing. The institution must allow the accused person three full working days to prepare for a hearing after receiving a notification of charge, unless the person freely agrees to a shorter period.

## **The right to a hearing in the case of a serious disciplinary infraction**

The Corrections and Conditional Release Act, section 40 describes the acts that constitute a disciplinary offence. An incarcerated person commits a disciplinary offence who:

- “
- a) *disobeys a justifiable order of a staff member;*
  - b) *is, without authorization, in an area prohibited to inmates;*
  - c) *wilfully or recklessly damages or destroys property that is not the inmate's;*
  - d) *commits theft;*
  - e) *is in possession of stolen property;*
  - f) *is disrespectful or abusive toward a staff member in a manner that could undermine a staff member's authority;*
  - g) *is disrespectful or abusive toward any person in a manner that is likely to provoke a person to be violent;*
  - h)  *fights with, assaults or threatens to assault another person;*

- i) is in possession of, or deals in, contraband;*
- j) without prior authorization, is in possession of, or deals in, an item that is not authorized by a Commissioner's Directive or by a written order of the institutional head;*
- k) takes an intoxicant into the inmate's body;*
- l) fails or refuses to provide a urine sample when demanded pursuant to section 54 or 55;*
- m) creates or participates in*
  - i. a disturbance, or*
  - ii. any other activity**that is likely to jeopardize the security of the penitentiary;*
- n) does anything for the purpose of escaping or assisting another inmate to escape;*
- o) offers, gives or accepts a bribe or reward;*
- p) without reasonable excuse, refuses to work or leave work;*
- q) engages in gambling;*
- r) wilfully disobeys a written rule governing the conduct of inmates; or*
- s) attempts to do, or assists another person to do, anything referred to in paragraphs a) to r)''*

Based on the gravity of the alleged offence and any aggravating or mitigating factors, the institutional head or his delegate may decide to lay a minor or serious charge. For example, disrespectful language or actions toward staff will normally result in a charge of a minor offence. Threatening or violent behaviour and offences involving drugs or alcohol will normally result in a charge of a serious offence.

A hearing of a serious disciplinary offence shall be conducted by an independent chairperson.

The purpose of the disciplinary hearing is to determine beyond reasonable doubt whether the person committed the disciplinary offence and, if necessary, to determine an appropriate sanction. If the offence met the criteria to isolate the person in administrative segregation, the isolated person's hearing will be given priority over other disciplinary hearings.

He has the right to consult and be assisted by a lawyer, in serious disciplinary offences. It's important that he contacts his lawyer as soon as possible, so that the lawyer can be well prepared for the case.

The lawyer must explain to him, when preparing for the case, how the National Parole Board might consider a plea of guilty or a conviction of a disciplinary charge, when reviewing applications for release.

The rules of evidence related to criminal courts do not strictly bind the Independent Chairperson, who renders the decisions in serious disciplinary court. However, the Independent Chairperson has the duty to act fairly and carried out the inquiry with due regard to natural justice.

This means the incarcerated person has the right to know the case against him and to present a defence during the hearing. The person can plead guilty or not guilty to the charge. He has the right to be present and the right to have the hearing in French or English. He can question the institution's witnesses and call witnesses in his defence, examine and present evidence and documents. Throughout the hearing, he can present relevant arguments about the merits of the charge(s) and, if necessary, the proper sanction(s).

The independent chairperson must be satisfied beyond a reasonable doubt that the person committed the disciplinary offence in question. The Independent Chairperson can impose one of the sanctions allowed by law, where a person is found guilty of a disciplinary offence. **Isolation is among these options, but is not the only possible sanction.** The other foreseeable sanctions are the following:

- A warning or reprimand;
- A loss of recreational privileges, such as watching television, listening to the radio or having access to artistic material;
- An order to pay for any damages caused by the infraction (up to a maximum of \$500);
- A fine, up to a maximum of \$50; or
- Extra duties, or community service work, up to a maximum 30 hours.
- A suspended sentence

Several factors are to be taken into consideration in determining the sentence. **The sentence must be the least restrictive measure, taking all of the following into account:**

- a. *the seriousness of the offence and the degree of responsibility born by the person convicted of the offence;*
- b. *all related circumstances that may call for a harsher or lesser sentence, including the convicted person's behaviour in the penitentiary;*
- c. *the sentences that have been given to other incarcerated persons for similar disciplinary offences in similar circumstances;*

- d. whether the convicted person is serving any other sentences, so that the combination of sentences is not excessive;*
- e. any measures taken by the CSC, related to the offence, before sentencing is passed; and*
- f. any recommendations made during the hearing, as to the proper sentence. (Regulation, section 34)*

The Independent Chairperson may suspend any sentence, including isolation, for a period up to 90 days. If the person is convicted of another serious offence within that time period, the suspended sentence will be imposed in addition to any sentence for the later offence.

The sentence of disciplinary segregation is to be used only as a last resort and only for serious disciplinary offences. A sentence of disciplinary segregation may be imposed up to a maximum of 30 days. In cases where a person is convicted and sentenced to isolation for more than one offence, the total days of isolation cannot exceed 45 days.

## **Rights related to health and hygiene**

The law requires that the institution must guarantee suitable arrangements so as to assure that incarcerated persons' needs related to health and hygiene are met. The incarcerated person can thus benefit from this guarantee during his isolation.

The institution must assure that the person be dressed and nourished appropriately, and that he receives convenient bedding and toiletries and all other necessary objects to see to his personal hygiene.

The incarcerated person can take a shower daily, even during his isolation. He has the right to at least one hour of exercise per day, outdoors or indoors.

Each institution has its regulations as to the condition in segregation, for example, the time for showers or meals. **You can be informed** as to these regulations by the staff, the inmates' committee or peer supporters.

A doctor or another professional from health services visits the segregation unit at least once a day. The institutional head or a person designated by him visits the isolation unit daily as well.

## **Rights related to searches and property seizures**

**All incarcerated persons can be subjected to a strip search by a staff member of the same sex, whenever they are entering or leaving the isolation unit.**

*“What is a strip search?”*

During a strip search, a person must undress in front of an officer, who is the same sex as the person being searched. The officer visually examines the entire body. The person will be asked to open his mouth, to show the bottom of his feet, to run his fingers through his hair, to open his hands, to spread his arms, to bend or to otherwise allow the officer to complete the visual examination of his body. The person must cooperate.

## **Religious rights**

Incarcerated persons have the right to practice their religion freely and to express their spirituality, while in segregation. However, as already mentioned, this right will be limited as a result of the conditions of isolation, this being due to the individual being deprived of contact with the open prison population.

The isolated person thus has the right to religious articles and literature, and the services of spiritual support persons in the institution.

## **Aboriginal rights**

The institution must respect the ancestral rights of aboriginal people, such as meetings with spiritual leaders and having access to sacred objects. However, the services available to aboriginal people vary from one institution to another. Each individual will have to inform himself of the available resources within the institution he is in.

The aboriginal person can remind the staff as to the specifics of the respect of sacred objects. Although the staff is required by law to be trained and informed about these particularities in a general manner, it is most likely that they will not know specific details concerning this culture.

**The aboriginal person can explain to the staff how to transport the sacred objects to his segregation cell.**

# *My solutions and my recourses*

**Disciplinary segregation**, imposed as a sanction, remains in force according to the sentence pronounced by the Independent Chairperson of the hearing.

*For example, if the Independent Chairperson sentenced the person to five days of isolation for having threatened a staff member, the person will return to the prison population on the 5<sup>th</sup> day. Always remember, the day you go into disciplinary segregation counts as the first day.*

The person in **administrative isolation** must be returned to the prison population **as soon as possible**, meaning as soon as the reasons supporting isolation no longer exist.

We will now illustrate a variety of solutions and recourses that an incarcerated person could foresee either alone or with his lawyer. Before undertaking recourse, the person should discuss it with his lawyer. The lawyer could then examine the matter so as to determine if the recourse is appropriate. In certain cases, there exist other avenues not described in this pamphlet.

## **1. Attempting an informal resolution**

*“Talk to the staff!”*

The correctional staff has a legal obligation to try to resolve a situation in an informal manner, where possible. Informal resolution includes counselling, a warning, or any agreement between an incarcerated person and a staff member that will prevent an incident from happening again.

Achieving an informal resolution means a person will avoid facing a charge before the disciplinary court. **However, the correctional staff may decline informal resolution if the person is unable to remain calm and respectful, because the process leading to informal resolution shall be considered only with the agreement of the parties involved.**

## **2. Remaining silent**

In the case of a real crisis situation or major disagreement, the main concern of the staff is to bring things to order in the sector. The incarcerated person is thus better off not trying to argue with the staff. The staff might perceive the argument as a potential threat, which could aggravate the situation.

Until the situation is under control, the incarcerated person should remain silent and stay calm. The person could always try to talk to the staff once the appropriate moment arises.

### **3. Examine and re-examine the order of administrative segregation**

When a person other than the institutional head has given an order for administrative segregation, the institutional head examines the order the following day. Should the institutional head decide to maintain the decision, the segregated person must be given a written explanation stating the reasons for his placement in segregation.

The segregated person has the right to a hearing before the Segregation Review Board within the five working days following his placement in segregation. He has the right to be present at the hearing **unless** he refuses to attend, disrupts the hearing or the institution believes on reasonable grounds that his presence would place the safety of any person in danger.

The incarcerated person has the right to respond to the institution's case during the hearing. It's important to make sure his perspective is written for the record.

If the Segregation Review Board decides to continue the segregation after five days, the incarcerated person has the right to be heard and have the case reviewed at least once every 30 days. At least three days prior to each hearing, he will receive a written notice of the hearing date and the information that the Board will be considering at the hearing.

He will receive the decision and reasons in writing after each hearing. At his request, he can also receive copies of the Commissioner's Directives, the Corrections and Conditional Release Act and its Regulations, and Regional Instructions and Institutional Orders.

### **4. Revision of a decision for disciplinary segregation**

A conviction by the Independent Chairperson for a serious disciplinary charge **cannot be appealed.**

However, the Federal Court of Canada can review decisions taken by the Independent Chairperson if the decision or the procedure contains an error of fact or law. **Not all errors will warrant a review at the Federal Court of Canada level.** A lawyer can evaluate the chances of succeeding in this type of process.

## **5. Institutional refusal to grant a request for administrative segregation**

If an incarcerated person's request to be placed in isolation is refused by the institution, the institutional head or his delegate must meet the person and explain the reasons that support the decision not to accord the request.

The day after a person's request is granted, the institutional head will study the reasons for the isolation and will decide if the incarcerated person needs to remain in administrative isolation or if he should order his return into the open prison population.

## **6. Filing a complaint**

### **COMPLAINT AND GRIEVANCE (INTERNAL COMPLAINT)**

An incarcerated person can file a complaint or grievance any time he is dissatisfied with an action or decision taken by a staff member. For example, the incarcerated person can complain about his conditions of segregation, the reasons for his segregation or the behaviour of the staff of the institution.

He can find out about the procedure through the grievance co-ordinator in the institution or the inmates' committee.

### **COMPLAINT WITH THE CORRECTIONAL INVESTIGATOR OF CANADA**

It is possible to deposit a complaint with the Correctional Investigator of Canada if a decision, a recommendation, an act or an omission on the part of the Correctional Service affects the rights of an incarcerated person.

*For example, to denounce a case of violence or sexual harassment; but also cases of administrative segregation without valid motives.*

Communications between an incarcerated person and the office of the Correctional Investigator are confidential. The institution cannot open mail to or from the office of the Correctional Investigator. It is preferable to file a complaint or a grievance with the institution before filing a complaint with the Investigator, but it is not compulsory.

For more information there is a pamphlet, published by the office of the correctional investigator, which should be found in the library.

Or write to:

Office of the Correctional Investigator  
P.O. Box 3421, Station D  
Ottawa, Ontario  
K1P 6L4

**In case of a serious or urgent situation only,**

*(for example, if the life of an incarcerated person is threatened, if the permission for a humanitarian temporary absence is refused, or for a medical emergency),* there is a toll free number 1-877-885-8848.

## 7. Transfers

It is possible for an incarcerated person to request a transfer to another penitentiary. However, the procedure may seem too long in an emergency situation such as administrative isolation, and it is not sure that the request will be approved. The person can inform himself by speaking to his lawyer or to institutional staff.

## 8. Recourses by family or friends

The procedures need to be undertaken by the incarcerated person himself, unless he is under a protective order such as a tutor or the public curator. However, the family and friends can play an important role in supporting the process the incarcerated person has undertaken.

Friends and family of an incarcerated person can lodge a complaint with the correctional investigator of Canada in the name of the incarcerated person.

## To know more...

**Would you like additional information?** Consult the available guide in your institution. A lawyer, the inmates' committee, resource people from the Elizabeth Fry Society, the St. Leonard's Society and peer supporters can supply the answers to some of your questions.

If you do not fully understand the contents of this pamphlet, the above-mentioned resource people can offer you additional explanations. **This pamphlet gives you some indications, but does not contain all the applicable regulations.**

Your lawyer can help you find solutions if the conditions of your segregation are unsatisfactory, illegal or abusive. It is important to know that each case is a particular case. Your lawyer can help you better understand your situation.

The applicable regulations concerning isolation are prescribed in law in the Corrections and Conditional Release Act, which you can find in the library of your institution.

## **Sources**

**Corrections and Conditional Release Act (1992, ch. 20)**

**Corrections and Conditional Release Act**

**Commissioner's Directives of the Correctional Services of Canada, [www.csc-scc.gc.ca](http://www.csc-scc.gc.ca)**

**Correctional investigator of Canada, [www.oci-bec.gc.ca](http://www.oci-bec.gc.ca)**

## Directory of resources

### Governmental organizations

**Correctional Service of Canada  
Complaint and grievance third level**  
340 Laurier Avenue West  
Ottawa, Ontario K1A 0P9

**Office of the Correctional Investigator**  
P.O. 3421, Postal Station D  
Ottawa, Ontario K1P 6L4  
Phone: (613) 990-2695  
Fax: (613) 990-9091  
Toll free: 1-877-885-8848

**National Parole Board  
National office**  
410 Laurier Avenue West  
Ottawa, Ontario K1A 0R1  
Phone: (613) 954-7474  
Fax: (613) 995-4380

### Groups defending the rights of Aboriginal women

**Native Women's Association (NWCA) of Canada**  
Phone: 1-800-461-4043 or (613) 722-3033  
Fax: (613) 722-7687

**Pauktuutit - The Inuit Women's Association**  
Phone: (613) 238-3977  
Fax: (613) 238-1787

**Metis National Council of Women**  
Phone: (613) 241-6028  
Fax: (613) 241-6031

**Femmes Autochtones du Québec inc.**  
460 St-Catherine West, suite 503  
Montreal, Quebec H3B 1A7  
Phone: (514) 954-9991

## **Groups defending the rights of women in penal justice**

### **Canadian Association of Elizabeth Fry Societies**

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### **Atlantic region**

#### **Elizabeth Fry Society of Nova Scotia**

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E-mail: [efrymain@eastlink.ca](mailto:efrymain@eastlink.ca)

### **Quebec region**

#### **La Société Elizabeth Fry du Québec**

5105 Côte Saint-Antoine  
Montreal, Quebec H4A 1N8  
Phone: (514) 489-2116  
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- Ruth Gagnon, Executive Director  
Phone: (514) 489-2116, ext. 22
- Marie-France Laforce, Lawyer, and  
Daniel Benson, Life Line In-reach  
Phone: (450) 752-5257, ext. 2904

### **Ontario region**

#### **Council of Elizabeth Fry Societies of Ontario**

Barb Wilson, liaison  
34007 - 875 Highland Rd. W.  
Kitchener, Ontario N2N 2Y2  
Phone: (519) 584-7452

## **Prairie region**

### **Elizabeth Fry Society of Edmonton**

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### **Elizabeth Fry Society of Calgary**

Joan Wilson  
Okimaw Ohci Healing Lodge  
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Fax: (403) 286-0285  
Toll free: 1-877-398-3656  
E-mail: [volunteer@elizabethfry.ab.ca](mailto:volunteer@elizabethfry.ab.ca)

## **Pacific Region**

### **Elizabeth Fry Society of Kamloops**

Mollie Both, liaison  
827, Seymour Street  
Kamloops, British Columbia V2C 2H6  
Phone: (250) 374-2119  
Fax: (250) 374-5768  
Toll free: 1-866-375-5120  
E-mail: [kamloops@efrysoc.com](mailto:kamloops@efrysoc.com)

## **Resources defending the rights of men in penal justice**

### **St. Leonard's Society of Canada**

#### **Bronson Centre**

#### **Main Office**

208-211 Bronson Ave.  
Ottawa, Ontario K1R 6H5  
Phone: (613) 233-5170  
Fax: (613) 233-5122  
[www.stleonards.ca](http://www.stleonards.ca)  
[slsc@on.aibn.com](mailto:slsc@on.aibn.com)

**Quebec region**

**Corporation Maison Crossroads**

**Lifeline**

5262, Notre-Dame Street West,

Montreal (Quebec) H4C 1T5

Phone: (514) 939-1177

Fax: (514) 939-5433

Email: [maisoncrossroads@qc.aibn.com](mailto:maisoncrossroads@qc.aibn.com)

**Association des services de réhabilitation sociale du Québec**

2000, St Joseph Boul. East

Montréal (Québec) H2H 1E4

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