

***Double Incarceration:
Maximum Security in Canada's Federal Women's Prisons***

Allison Campbell

This article stems from work I completed in 2004. It only touches on some of the many, significant issues relating to incarceration practices for federally sentenced women in Canada, and women classified as maximum security in particular. That document is available at the Simon Fraser University library, and via www.prisonjustice.ca (see references). In another part of my life I am a newly registered midwife, living and working in East Van. *Thank you to the women who provided feedback on earlier drafts of this article, and updates on just how bad things continue to be, for women classified as maximum security.*

In 1990, The Task Force on Federally Sentenced Women (TFFSW) issued a report that brought about significant reforms to how women were to be incarcerated in Canada. *Creating Choices* was the first report in the history of the Correctional Service of Canada (CSC) to inform itself of the voices and experiences of federally sentenced women and their advocates. It argued for a new approach to corrections, which would centre women's individual needs, as opposed to conventional incarceration practice.

Throughout the nineties, as recommended by *Creating Choices*, the CSC made the expensive and significant move of building six smaller, community-style prisons across the country, including a Healing Lodge specifically designed for Aboriginal women.¹ It overhauled prison-based programs to make them more gender- and culturally appropriate, and it finally closed Kingston's Prison for Women (P4W), although not until 2000.²

Initially, women of all security levels were to be housed together in the new "women-centered" prisons. However, shortly after the first of the new prisons opened in 1995-96, in response to some unfortunately violent disturbances that occurred there, the CSC changed that

¹ The term 'Aboriginal' includes women who self-identify as Inuit, Métis or First Nations.

² Canada's only federal prison for women to that time, P4W was a fortress located in Kingston Ontario. From 1936 to 1995, almost every woman who was sentenced to federal time in Canada had to spend it at P4W, where living conditions were notoriously harsh and austere.

plan. Instead, maximum-security women were “temporarily” sent to ‘co-located’³ units in men’s prisons, and security at the new women’s prisons was increased significantly. The “temporary” co-located units would be in operation for the next 10 years.

In 2005, after many years of criticism from women prisoners and their advocates, the CSC finally closed the co-located units, and moved the approximately 40 women who were classified as maximum security into the regional, “women-centered” prisons. While this was an important step, it did not come without a price. Rather than accommodating the women within the prisons themselves, the CSC built a “Secure Unit” at each of the regional prisons in order, they argued, to incorporate maximum-security women into the *Creating Choices* vision. However, these units only continue to segregate max women from the rest of the population, and serve as a persistent threat to women with lower security classifications within the prison itself.

On May 1, 2004, there were 43 women with this classification across the country, but the CSC initiated the construction of Secure Units at each regional prison (except the Healing Lodge) which together would hold a total of 60 women.⁴ The Secure Unit at BC’s Fraser Valley Institution (FVI) alone cost \$5 million to build. At the time of construction there were two women in BC with a maximum security classification. In the beginning of July 2006, within a few months of the Secure Unit being opened, that number had already increased to eight.

Prison within a prison

³ Co-located units were women’s units located in men’s maximum security prisons. In order to keep the women segregated from the male population, the women’s movements within the prisons were highly regulated. Four such units were set up across the country in 1996.

⁴ The individual units’ capacities are: Nova: 10, Joliette: 10, Grand Valley: 15, Edmonton: 15, and Fraser Valley: 10.

The Secure Units were built out of existing segregation cells in the administration buildings of each institution. Rather than communal-style houses, as exist for all other women in the prisons, they are made up of more traditional, secure cells, with concrete walls and secured doors. The units ensure complete separation from the rest of the prison. They are completely surrounded by an additional fence, and the women have only limited, highly regulated access to the rest of the prison and its programs.

A CSC-endorsed description of the Secure Units states:

The women in the Secure Unit will be integrated where possible and kept separate from the rest of the population, where necessary. Space in the institution, such as the gymnasium, the library and the visiting room, will be shared, but the maximum security women will go on a different time schedule and will be accompanied by staff. It is also conceivable that some women, at certain times, will be unable to leave the Secure Unit. During those times, services and programs will be offered in the unit. By making the unit part of the institutions, staff will have the flexibility to develop “halfway out” plans with the women.⁵

However, there is a significant difference between how the CSC portrays the Secure Units and the effect that they have on individual women, and the entire prison population. At FVI for example, the new Secure Unit’s “exercise yard” is a concrete yard, without roofing or exercise equipment, nor benches or tables to sit at. This “yard” is not large enough to provide a designated smoking area, even for its capacity of ten women. A true “prison within a prison”, the Secure Unit model continues to isolate women classified as maximum-security from the rest of the incarcerated population.

Women are allowed only limited access to the rest of the institution under staff escort and restraints. Every time a woman is out of her cell, she is handcuffed and shackled, and accompanied by two guards. The amount of staff and prison resources it takes to move women in

⁵ Watson, Lisa. 2000. “The Intensive Intervention Strategy for Women Offenders,” *Let’s Talk*. Vol.1 (8).

this manner about the prison grounds, and thus have access to the rest of the prison, acts as an institutional deterrent to making that access possible.

The Secure Units are based on a concept of “intensive intervention.” The key to this strategy is an increase in staff presence among the women, including not only security staff, but also Behavioral Councilors, nurses, psychologists and managers, all of whom are on the unit on a full-time basis. Although the increased staff presence may not be entirely security-driven, the constant staff presence may result in heightened surveillance of prisoners, as well as staff. This dynamic alone has the possibility of increasing both staff and prisoner tension on the unit.

Continued segregation of prisoners

Having some women isolated inside the prison is likely to produce tension within the rest of the population. Increased security is felt by all women in the prison, who have until recently had few restrictions on their movements. Just as with co-location, in order for the women in the Secure Units to remain totally separate from the rest of the population, when they move to other parts of the prison grounds, the rest of the population may be ‘locked down’, something that was not previously been part of the routine. Even if they do not get locked down on a regular basis, their own access to the gymnasium or other areas of the prison is still curtailed when the maximum-security women are using it.

Moreover, the isolation of maximum security serves as a persistent threat to others in the prison. For women with lower classifications, seeing the maximum-security women only occasionally, and only in restraints and under intense staff supervision, may exacerbate their

media-informed perception of maximum-security women as “extremely bad and scary”. It also introduces a sense of separation among women who are incarcerated.

Disproportionate affect on Aboriginal women

The exclusion and segregation of maximum-security women disproportionately targets Aboriginal women. As of March 2006, there were 401 women incarcerated federally in Canada.⁶ Although Aboriginal women make up less than 3% of the total female population in Canada, they are dramatically, and increasingly, overrepresented among women prisoners, making up 31% of the federal prison population. Aboriginal women are the only reported group for whom more people are serving time in prison than in the community.⁷

But the CSC does not only over-incarcerate Aboriginal women. The security rating system it uses to delineate women into minimum- medium- and maximum security consistently classifies Aboriginal women at higher security levels than women from other backgrounds. For example, in 2002, 36% of federally sentenced Aboriginal women were classified as maximum security. Therefore, historically this has meant Aboriginal women were more likely than other women to serve their sentences in a ‘co-located’ unit in a men’s prison. Presently the building of the Secure Units means they are more likely to be doubly incarcerated – in a prison within prison – within arms reach, but with no meaningful access to the allegedly women-centred prisons which surround them.

⁶ This is compared with about 13,000 men. There were also an additional 511 federally sentenced women in the community in 2002. These women are federally sentenced, but are either on day parole, full parole or statutory release (CSC 2001).

⁷ That is, there are consistently (and in most cases significantly) more federally sentenced women who identified as White, Black, Asian and ‘Other’, serving time in the community than in prison, while there are more Aboriginal women in prison (31% or 124 of 401) than in the community (19% or 97 of 508) (CSC 2006).

References

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