



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

The Honourable Marco E. L. Mendicino
Minister of Public Safety

June 7, 2023

RE: Need for Urgent Action to Address Overrepresentation of Indigenous Peoples in Federal Prisons and Isolation Cells

Dear Minister Mendicino,

I hope this letter finds you well. I am writing to share serious concerns I have following recent reports from the government-appointed independent oversight panel for the implementation of Structured Intervention Units (SIUs), Correctional Services Canada's (CSC) new inmate solitary confinement regime. I am extremely troubled by these reports showing the continued overrepresentation of Indigenous people in federal prisons and the disproportionate use of solitary confinement isolation cells for Indigenous inmates.

Indigenous people comprise only 4.2 per cent of the overall population in Canada. Yet, at Grand Valley Institution for Women (GVI) near my constituency, 35 percent of inmates are Indigenous, while across all federal prisons Indigenous women comprise 50 per cent of the total female CSC inmate population. **That's up to 12 times the proportion of Indigenous people in the overall population.** This overrepresentation of Indigenous peoples in federal prisons, which the Supreme Court of Canada called "a crisis in the Canadian criminal justice system" in its *Gladue* decision in 1999, must be addressed.

The independent SIU oversight panel previously reported in 2022 that almost half of all inmates held in isolation cells in federal prisons were Indigenous. Worse still, it was reported just last week that in women's federal prisons, including at GVI, isolation cells are used almost exclusively for Indigenous inmates. **Of the 25 women inmates held in isolation cells across the country in 2022, 24 (or 96 per cent) were Indigenous.** The report also revealed that Indigenous inmates are more likely to remain in isolation for an extended period (16 days or more) compared to non-Indigenous inmates, and that 38 per cent of Indigenous inmates in isolation are under 30 years old.

I am extremely troubled by these recent reports, particularly given their disproportionate impacts on Indigenous people and the detrimental mental health effects that inmate isolation is known to cause. It is well established that inmates spending any time in isolation, as well as those spending longer terms in isolation, are much more likely to exhibit deteriorating mental health, and multiple studies have found that these harms are particularly acute for young people placed in isolation.

I strongly urge you, your ministry and CSC to go further and faster to address systemic racism and the overrepresentation of Indigenous peoples in Canada's criminal justice system. Decades of reports written by federal agencies, parliamentary committees, non-

governmental organizations, and national inquiries have stressed the deficiencies in Canada's prison system and how it treats Indigenous peoples, yet many of their recommendations remain unaddressed. In particular, I urge you to ensure that:

- **All Indigenous-led recommendations to improve the criminal justice system for Indigenous peoples are implemented fully and expeditiously.** This includes most notably Calls to Action 30 and 31 from the Truth and Reconciliation Commission and Call to Justice 5.21 from the National Inquiry into Missing and Murdered Indigenous Women and Girls.
- **CSC's new Deputy Commissioner for Indigenous Corrections is provided sufficient authority and resources,** to effectively support and improve relationships with Indigenous peoples and to adequately address the overrepresentation of Indigenous peoples in the criminal justice system. I strongly support and appreciate CSC recently establishing this position, as had been long recommend by the Office of the Correctional Investigator of Canada, and CSC must ensure that the position is designed and funded to bring about meaningful change in the areas of its responsibility.
- **All recommendations from the Office of the Correctional Investigator of Canada are implemented fully and expeditiously.** This office's 2022 Annual Report made 14 new recommendations and reiterated four prior recommendations that remain unaddressed. This includes a repeated recommendation to close segregation and isolation units and redirect funds to better support and address the unique needs of women inmates, in particular Indigenous women inmates.
- **All recommendations from the Auditor General's 2022 Report Four: Systemic Barriers – Correctional Services Canada are implemented fully and expeditiously.** This report made six recommendations aimed at addressing systemic barriers that have persistently disadvantaged certain groups of offenders, particularly Indigenous people, and CSC agreed fully with all of them in the report. This includes recommending that CSC undertake an expert review of its Custody Rating Scale, which the Auditor General found resulted in the disproportionate categorization and placement of Indigenous inmates into maximum-security institutions compared to non-Indigenous inmates.

I look forward to working with you in the spirit of reconciliation with Indigenous peoples to address these ongoing injustices.

Sincerely,



Mike Morrice,
MP for Kitchener Centre

Cc:

MP Pam Damoff, Parliamentary Secretary to the Minister of Public Safety

MP Valerie Bradford, Kitchener South—Hespeler

Senator Kim Pate, Independent Senators Group

Emilie Coyle, Executive Director, Canadian Association of Elizabeth Fry Societies

Kate Crozier, Director of Programs, Community Justice Initiatives

Donna Dubie, Executive Director, The Healing of the Seven Generations