



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

Mike Morrice

Member of Parliament
Kitchener Centre

The Honourable Arif Virani
Minister of Justice

March 3, 2025

The Honourable David McGuinty
Minister of Public Safety

Urgent Attention Required for Overdue Review of Structured Intervention Units (SIUs)

Dear Ministers Virani and McGuinty,

I hope this letter finds you well. I am writing to urge you to take immediate action to address the overdue comprehensive review and subsequent report on the Structured Intervention Units (SIUs) as mandated by Bill C-83, An Act to Amend the Corrections and Conditional Release Act. We are also urging the government to expedite the consideration of Bill S-230, Senator Kim Pate's bill that was passed by the Senate on December 11, 2024. Also known as 'Tona's Law,' Senator Pate's bill consists of safeguards tirelessly advocated by Tona Mills, an Indigenous woman and survivor of more than 10 years in solitary confinement.

As you are aware, Bill C-83 came into force on November 30, 2019, bringing significant changes to federal corrections, including the elimination of solitary confinement and the establishment of SIUs. According to Section 40.1 of the Act, Parliament is legally required to undertake a comprehensive review of the provisions enacted by this Act at the start of the fifth year after its enactment—which began in June 2023, and submit a report to the House or Houses of Parliament, including recommended changes, within one year of initiating the review—a deadline that passed in June 2024.

Despite this clear legal obligation, no comprehensive review has been undertaken. No report has been submitted. This lack of action undermines Parliament's responsibility to ensure that the transformative changes brought by Bill C-83 are functioning as intended and respecting the rights of incarcerated individuals.

The failure to address this legal obligation was emphasized in the final report by the independent Structured Intervention Units (SIU) Implementation Advisory Panel that was released on January 27, 2025. This report called for further changes to Canadian prison laws to fully eliminate solitary confinement and other unlawful practices and highlighted that despite legal reforms, federal penitentiaries continue to use solitary confinement.

The panel revealed that groups such as Indigenous and Black prisoners and those with mental health challenges are largely overrepresented in the population within SIUs. Alarmingly, a report released in 2023 highlighted that in women's federal prisons, including the Grand Valley Institution (GVI) located near my constituency, those placed in isolation cells are almost exclusively Indigenous.

Of the 25 individuals held in isolation cells in women's prisons nationwide in 2022, 24 (96%) were Indigenous. The report also found that Indigenous individuals are more likely to be kept in isolation for extended periods (16 days or more) compared to non-Indigenous individuals, and 38% of Indigenous incarcerated people in isolation are under the age of 30.

The report also reveals that many SIUs operate in a way that contradicts the law's intent, with around 20% of placements lasting over two months and half of occupants receiving less than two hours of meaningful human contact daily. The panel expressed serious concerns that the issues raised by courts have not been properly addressed and noted that a government review of the SIU regime, mandated to occur within four years of its implementation, has yet to happen.

The elimination of solitary confinement and the creation of SIUs was intended to uphold human rights and foster a more just corrections system. However, reports of ongoing violations of incarcerated people's rights indicate that robust oversight is urgently needed.

These findings deeply concern me, particularly due to their disproportionate impact on Indigenous people and the well-documented mental health harm caused by isolation. Research consistently shows that incarcerated folks subjected to isolation, especially for prolonged periods, are significantly more likely to experience a decline in their mental health.

This also comes at a time where, because Parliament is prorogued, Bill S-230, which aims to provide alternatives to isolation and ensure oversight and remedies in the Correctional Systems Act, may die on the floor before becoming codified in law. These proposed amendments provide solutions towards protecting those in isolation from mental harm and provide means toward recovery following incarceration. Parliamentary efforts to protect incarcerated people have been restricted countless times, so reports on SIUs are necessary to ensure this issue is prioritized.

Without the mandated review, Parliament lacks critical information to assess whether the provisions of Bill C-83 are achieving their intended outcomes or require amendments.

Therefore, I strongly urge you, your ministry, and Correctional Services Canada (CSC) to take immediate action to:

- Work with relevant parliamentary committees to ensure the comprehensive review is initiated without further delay.
- Expedite the passage of Senator Kim Pate's Bill S-230 to ensure that the government meaningfully ends isolation and ensures adequate correctional oversight and remedial options.
- Collaborate with Public Safety Canada and committee leadership to clarify roles and responsibilities to meet Parliament's legal obligations under Bill C-83 and Bill S-230.
- Provide a clear timeline for the completion of the review and the submission of the report to Parliament.

The review and report are not merely procedural requirements but critical tools to ensure accountability, transparency, and respect for human rights in our federal corrections system. It is imperative that this matter is prioritized to uphold Parliament's commitment to justice and fairness.

Thank you for your attention to this pressing issue. I am requesting a meeting with you both to discuss the above with you further. Thank you for the work you do in service of Canadians.



Mike Morrice
MP for Kitchener Centre

Cc:

Senator Kim Pate
Christin Cullen, CEO at John Howard Society
Anthony Doob, Professor at the Centre for Criminology and Sociolegal Studies, University of Toronto
Jane Spratt, Professor at the Department of Criminology, Toronto Metropolitan University
Kate Crozier, Executive Director – Community Justice Initiatives
Donna Dubie, Executive Director – The Healing of the Seven Generations
Emilie Coyle, Executive Director – Canadian Association of Elizabeth Fry Societies
Michelle Brenneman, Executive Director – Mennonite Central Committee Ontario