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**WOMEN-CENTERED CORRECTIONS:  
CREATING CHOICES FOR FEDERALLY SENTENCED WOMEN  
OR A CONTINUATION OF PATERNALISTIC PRACTICES?**

By

**JEANNE MARIE GREENOUGH**

**B.A. (Hons), Mount Saint Vincent University, 1997**

**Thesis**

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## Abstract

Since the inception of the penitentiary in the 1800's issues concerning federally incarcerated women have tended to be ignored relative to the problems facing the larger population of male offenders. As a result, women have been generally dismissed as a major concern, resulting in the creation of correctional policies and practices that were designed for men and then applied to women. *Creating Choices: The Report of the Task Force on Federally Sentenced Women* (1990) marked the beginning of the implementation of a correctional system that is recognized as feminist and "women-centered." A main area of investigation for this thesis was to address the question of whether corrections for women are or can be carried out in a feminist manner while still employing the major elements of a system of incarceration designed primarily for men. The implementation of the new policy provided an ideal situation for investigating the possibility of leaving behind a legacy of patriarchy and embracing a future of freedom.

This thesis reviews the history of Canadian female incarceration, the current philosophy of change, prison structures, the daily routines, the intent of corrections for women, the ideology behind the programming and the programming itself. Information was obtained through semi-structured interviews of eight correctional personnel at the Prison for Women in Kingston, Ontario and the Nova Institution for Women in Truro, Nova Scotia. While the intent of the "feminist women-centered" philosophy was to build a bridge to a future of freedom for female offenders and not a series of gentler fortresses in which to contain women, my research suggests that a legacy of patriarchy is evident in the equation of "women-centered" to mean fulfillment of traditional gender-roles as implied by the current programming and goals of the Regional Facilities.

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## CHAPTER 1

### INTRODUCTION

The object of this research is to investigate whether a "women-centered" feminist method of corrections has been achieved within the framework of a system of incarceration designed primarily for male offenders. To assist in this investigation it will be necessary to explore the history of the treatment of incarcerated women in Canada to assess the extent to which the history reflects neglect and paternalism, and whether there is an expectation within the criminal justice system of "proper" socialization roles for women and how this expectation is put into practice in the prison system. Are gender roles and paternalism towards women perpetuated in the criminal justice system through incarceration practices? This question will be examined by focusing on the history of the federal system of corrections for women, identifying the issues that have historically plagued women offenders and the steps that have been taken to address these issues over the last 100 years.

The document *Creating Choices*, compiled by the 1990 Task Force on Federally Sentenced Women, which culminated in the Correctional Service of Canada making a commitment to change the face of corrections for women, will be examined as it is upon this document that the Government based its blueprint for change (Correctional Service of Canada [CSC], 1990). Is this new philosophy "women-centered" as it claims, based upon the assertion of the document *Creating Choices* that it has designed a "feminist" method of corrections for women? Is this document, in fact, "women-centered" and, if so, what makes it so?

A profile of federally incarcerated women was compiled in order to assess whether the new philosophy of corrections adequately addresses the needs of these particular women. Federally incarcerated women account for approximately 2% of the federal offender population. On March 31, 1997 there were 357 women in federal custody, compared to 14,091 men (CSC, 1997). Until 1995, the women were housed in one federal penitentiary whereas the men were housed in one of 44 institutions and thirteen community correctional centres (Arbour, 1996:xii). Incarceration is an expensive enterprise. In 1995/96 the annual cost per offender in the women's federal institution was \$74,965, while the cost for housing a male offender in a maximum unit was \$68,156. The average annual cost of supervising an offender on parole was \$9,145 (CSC, 1997).

Until recently, most issues concerning federally incarcerated women had tended to be ignored relative to the problems facing the larger population of male offenders. As a result, women were generally dismissed as a major concern resulting in the creation of correctional policies and practices that were designed for the larger male population and then applied to women as an afterthought. Similarly, there is very little data available that is specific to women offenders, particularly Canadian women. Over the last twenty years this has been changing mainly due to the efforts of feminist movement organizations which addressed the issue of female offenders. The majority of the information available, however, has focused on American and British samples, and there remains a need for Canadian female offenders to be addressed in their own right, recognizing that Canadian women have unique situations.

Canada appears to be more punitive regarding imprisonment of women, considering that it has the highest proportion of female inmates and the lowest male to

female ratio of Western and European countries. The United States imprisons three times as many women as Canada; however, given that the American population is ten times that of Canada's, this is a rather striking disparity (Boritch, 1997:183). In 1983/84, the ratio of male imprisonment to female imprisonment for Canada was 13.6:1. Women accounted for 6.9% of the incarcerated population, including both federal and provincial inmates. Broken down federally and provincially, the ratios are 39.6:1 and 13.3:1 respectively. In the United States the rate was 22:1, with women making up 4.3% of the imprisoned population; Australia was 25:1, with women representing 3.9% of the jailed population; the ratio in England and Wales was 28:1, with women comprising 3.4% of the incarcerated population (Axon, 1989a:3-4; see Table 1.1).

**Table 1.1**

**Female Imprisonment in Relation to Male Imprisonment  
for Selected Countries 1983 and 1984**

<b>Country</b>	<b>Year</b>	<b>Women as % Of Total Incarcerated Population</b>	<b>Male - Female Ratio</b>
Canada	1983/84	6.9	13.6:1
	Federal	2.5	39.1:1
	Provincial	7.0	13.3:1
Australia	1984	3.9	25:1
England/Wales	1984	3.4	28:1
United States	1984	4.3	22:1

Source: Adapted from Axon, Lee. 1989, "Criminal Justice and Women: An International Survey." Ottawa: Corrections Branch, Ministry of the Solicitor General of Canada, Table 3, pg. 3-4).

The 1990 Task Force on Federally Sentenced Women marked the beginning of the recognition that women are in need of a correctional system that focuses upon

women. Recent changes in Canada's policy regarding the housing and treatment of incarcerated female offenders based upon the Task Force's recommendations, as outlined in the document *Creating Choices*, makes it even more pertinent that studies be undertaken for this population to ensure that the system is designed for and working in a manner beneficial to women.

*Creating Choices* relied extensively upon the voice and experience of federally incarcerated women to investigate the system of corrections for women; therefore, this document was relied upon to provide the voice of federally incarcerated women for the purposes of this research. These voices are supplemented in this research with those who work within the system of corrections for women in order to provide a more balanced conception of the system, its intentions and its ultimate effect. Tours of the Prison for Women in Kingston, Ontario, and one of the new regional facilities, The Nova Institution for Women in Truro, Nova Scotia, were done in order to assess the physical layout and programming of the "old" versus the "new" system and to determine whether they are consistent with the new philosophy. Interviews were also conducted with correctional officials and program providers within both institutions and with Elizabeth Fry Society members in order to assess whether their beliefs were consistent with the new "women-centered" philosophy.

A main area of investigation in this thesis was to address the question of whether corrections for women are being carried out in a feminist manner. At the present time changes are being implemented within the area of federal corrections for women which are being applauded as "women-centered" and feminist. The recent policy changes and current implementation of changes in the prison system for women provide an ideal

situation for investigating whether there does exist a system of creeping paternalism manifested in the prison system for women. It may not be possible to have a women-centered philosophy of corrections within an institutionalized penal system that was originally designed for men. It is possible that, despite the rhetoric of "women-centered" and "feminist" corrections, the "new philosophy" of incarceration practices for women is but a gentler approach toward the reproduction of patriarchy. Does the criminal justice system and its applications (as it pertains to incarceration practices) operate as a mechanism to perpetuate women's subordinate position in Canadian society? To this end, a major undertaking of this research was to assess whether a feminist approach to corrections for women has been implemented successfully while still employing the major elements of a system of incarceration that was designed primarily for men. As we move forward into the next millenium it is important that we do not allow the mistakes of the past to be perpetuated into the future. Does the implementation of the 1990 Task Force recommendations indicate a changing and enlightened view towards women offenders?

In order to investigate these issues I looked at the history of Canadian female inmates, the current philosophy of change, prison structures, the daily routines, the intent of corrections for women, the ideology behind the programming, and the programming itself.

This research deals primarily with female offenders who are or have been incarcerated federally and most references to programs and policies refer to those offered to incarcerated women. Some comparative information will be provided on male and female offenders to emphasize areas of difference in practices and policies. By looking at

the disparities and similarities in the treatment and processing of incarcerated male and female offenders, the types of crimes they committed and the sentences they received as well as the programs offered during incarceration, this research outlines some of the complexities of the criminal justice system as it relates to women. As well, comparative analyses will assist in outlining what will be argued to be the patriarchal design of the system under study. There exists a large amount of literature on male offenders and, therefore, it was not necessary to cover that subject area extensively for the purpose of this thesis.

The aim of this research is to provide a preliminary basis for the much-needed evaluation of the system of corrections for federally sentenced women. It provides an overview of the history of women's corrections brought up to the present and provides a tentative forecast of the directions corrections for women may take. It emphasizes the necessity of ensuring that complacency does not set in, and that the motivation for change should be continuous. This research serves as a reminder that the focus of the new philosophy for corrections, especially the feminist "women-centered" focus, was intended to build a bridge to a future of freedom for female offenders and not a "gentler" series of fortresses in which to contain them.

### **Organization of Thesis**

The theoretical framework of my research approach is discussed in Chapter Two, which includes a discussion of how this framework affects the unit of study and its consequent investigation, and identifies the necessity for this research to be conducted from a feminist standpoint. It acquaints the reader with the parameters and assumptions such a stand entails.

Chapter Three of this thesis describes the methods that were undertaken in this research and the impact of those methods upon the research. This chapter explains some of the limitations of the investigation and how the research was adapted to meet them. Information was gathered primarily from two sources: official documents and through tours and interviews with correctional personnel and volunteers. Interviews were conducted using a semi-structured interview guide (see Appendix A) that allowed for focusing upon and probing pertinent areas of interest while also allowing for the identification of issues not recognized by the researcher.

Chapter Four provides an historical review of corrections for women, highlighting the major obstacles that have impeded the recognition of women offenders as unique and deserving of a system of corrections differentiated from their male counterparts. This chapter will illustrate how women offenders and their advocates have had to challenge not just the prison system but also the ideologies of the society that created and perpetuated such a system. This chapter will demonstrate the grossly gendered and patriarchal structure of the correctional process in Canada and how Corrections Canada has attempted to disassociate itself from this history. In addition, it provides an overview of the recent development of the Regional Facilities for women and the expectation that these facilities herald the era of feminist ideology and programming – a correctional system designed for women. This, then, leads to the main question: Has a feminist form of corrections been achieved or are we merely replicating patriarchy in a hidden form?

Chapter Five provides a profile of federally sentenced women, acquainting the reader with fundamental information about who the typical federal female inmates are,

the types of crimes they commit, the depth of their criminal records and the lengths of sentences they serve, and it compares them with male offenders in Canada.

Chapter Six takes a critical look at the document *Creating Choices* in an attempt to identify what makes this document "women-centered" and "feminist." This chapter outlines the ideals that *Creating Choices* was based upon and the goals that the authors of these ideals envisioned.

Chapter Seven discusses the findings gathered from the tours of the Nova Institute for Women and the Prison for Women (P4W), and the interviews conducted upon those premises. As well, this chapter provides information gathered from volunteers involved in corrections for women as a supplement to the official voices of the institutions.

Chapter Eight presents a discussion and conclusion based upon the compilation of the information gathered, and Chapter Nine concludes the research with a discussion of the limitations of this research and identifies areas for future research.

## **CHAPTER 2**

### **THEORETICAL FRAMEWORK**

This research will take a feminist approach, as the area of study is women and their perspectives and experiences within the Canadian prison system. In the past most research on female offenders has been done mainly by male criminologists using theories developed for male offenders. Criminological theory for women has been based upon the application of theories developed for males and has relied on stereotypical ideals of women. The result was that women have been largely ignored in deference to the larger male population. Since the focus has been on the male offenders, the result has been a void of policy and planning that specifically addressed female offenders and their needs. It has only been in the last twenty years that women-specific theories have been developed, a direct result of the fact that "one of the tasks of feminist scholarship has been to develop knowledge that is women-centered: knowledge that is about and for women" (Linden, 1996:159). With the wave of feminism beginning in the 1970's, attention has been drawn to the issue of women offenders and corrections. "In societies where structural power inequalities characterize relationships between men and women, all institutions – including the criminal justice system will reflect these inequalities" (Boritch, 1997:74).

A major goal of this research is to develop a women-centered knowledge of the prison system and to ask whether a women-centered approach and a "feminist" method of correctional practices have been achieved within the framework of an institution designed for men. This research examines the issues by using an approach that will locate women offenders structurally in society and show the consequences of a patriarchal and capitalist

society upon correctional philosophy for women. In order for this to occur the methodological approach must be a feminist one.

This research was not taken from any one rigid and inflexible standpoint, but consists of a combination of theoretical viewpoints, both sociological and criminological. This mix reflects the view of feminist scholars that feminist research is not bound by any one particular theory. Dorothy Smith stated in *Women, Crime and Criminology: A Feminist Critique*, that "it is not adequate to present a theory which is based solely on the negation of existing theories" (1976:183). In the context of this research, the concern should be with developing a theory that works and a willingness to use parts of existing theories to form a whole. The goal is not to fit the women into a theory but to look at incarcerated women and use theories that help illuminate their situations, not fit them into theory.

The research is, however, at all times fundamentally from the women's point of view. To this end the research is women-centered in that the main object of investigation is the situation and experiences of incarcerated women; women will be the central subjects and this research will attempt to be critical on behalf of women. This research can be defined as feminist in that it relies on basic assumptions that are inherent in most feminist perspectives and that distinguish feminist work from other types of research as identified by Daly and Chesney-Lind:

1. Gender is not a natural fact but a complex social, historical, and cultural product; it is related to, but not simply derived from, biological sex difference and reproductive capacities.
2. Gender and gender relations order social life and social institutions in a fundamental way.
3. Gender relations and constructs of masculinity and femininity are not symmetrical but are based on an organizing principle of men's

superiority and social and political-economic dominance over women.

4. Systems of knowledge reflect men's views of the natural and social world; the production of knowledge is gendered.
5. Women should be at the center of intellectual inquiry, not peripheral, invisible, or appendages to men. (Daly and Chesney-Lind, 1988:504)

This research is primarily taking a perspective that is a combination of Marxist and radical feminist tenets. Marxist feminists take the view that the status of women is not biologically determined but, rather, the result of the economic system that exists in capitalist societies. Within these societies women serve as the reproducers of the workforce needed to sustain the capitalist structure. It is their roles as mothers and transmitters of the needed values that sustain the capitalist class relations (Farganis, 1993:321). In such a system it is necessary for women to be contained within the very narrow confines of the determined gender roles of the society. Marxist theory provides an explanation for the class and economic position of incarcerated women.

Radical feminism complements this theoretical stance by adding the view that social institutions function as the tools of male domination which, in turn, support patriarchy and the oppression of women.

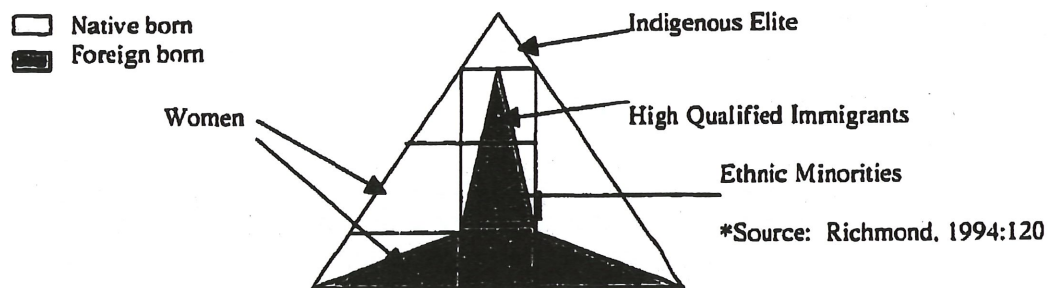
The system of patriarchy teaches women how to subjugate themselves and teaches men how to dominate, and this knowledge of sexist domination is carried over into other spheres. Radical feminists believe that patriarchy is all-pervasive in our culture and in our social institutions and that violence, ... are symptoms of the ills of patriarchy. (Farganis, 1993:321)

Radical feminism, thus, explains the abuse that many incarcerated women have encountered at the hands of men. It also demonstrates the pervasiveness of patriarchy in our society with its resulting male dominance in all spheres of society, which is

maintained through practices and ideology. Paternalism is one means of maintaining patriarchy through practices that are directed specifically at women and are usually justified as being in the "best interest" of women, but more effectively reinforce women's inferior status. This feminist approach focuses on the interplay of capitalism (class) and patriarchy (gender) as well as the way in which these relations are played out in society (Linden, 1996:167).

Understanding incarcerated women also requires incorporation of the socialist feminist position that focuses not only on capitalist patriarchy but also includes the interconnection of race, class and gender. The departure from Marxist theory will be the minimal emphasis placed on the connection between materialism and production and the inclusion of consciousness and knowledge as structures that shape and sustain the domination. Socialist feminism proposes that change can happen through the increasing of knowledge of these structures and the impact they have on the social and the individual.

**Figure 2.1: Placement of Women in Society**



As Figure 2.1 illustrates, the socialist feminist model places women mainly in the lower quadrants of society with minimal movement potential. This does not mean that women are uniformly oppressed, but rather, that they possess differing interests that intersect along the lines of race and class. The women's movement recognizes that there are

divisions among women along lines of class, race and sexual orientation, but realizes that the effectiveness of the movement relies on an ability to acknowledge, understand and contend with differences for the collective goal of gender equity (Fleras and Elliott, 1996:155). There is recognition also that there is exploitation within gender: rich women profiting from the "cheap labour" of poor women (Hurtado, 1989, see also Klein, 1995; Rice, 1990). If this is the case then, as Angela Davis proposes, "only those at the bottom of the social pyramid will improve the status of others as they improve their lot" (as quoted in Bell, 1993:19).

This research attempts to gain enlightenment into the actual operation of corrections for federally sentenced women in an attempt to understand the structure of corrections, both past and present, its evolution and its potential impact upon women in the future. The research was conducted within a framework concerned with women's existence in a patriarchal society that is supported by capitalism and how patriarchy is perpetuated in the way the Canadian criminal justice system handles women. Is it possible that the ideology of a "blind justice" is our false consciousness and that the myth of an unbiased prison system is the "opium of the people" which perpetuates unseen the inherent paternalistic mannerisms of our capitalist society?

The use of a feminist perspective leaning towards a framework combining insights from Marxist-socialist and radical feminism provides the following focuses of the investigation from which to research the past and future philosophy of corrections for women. These focuses provide a starting point for recognizing essential areas of inquiry and assist in the selection of appropriate methods with which to investigate the issues.

1) The socialist feminist perspective asserts that the differences between men and women's positions in society are socially constructed, not biological in nature. For the most part, biological theories like Lombroso's "pseudo-male" woman and Pollocks "criminal woman" (Jackson and Griffiths, 1991:282-285) have long ago been discredited. Nevertheless, they still form a major conceptualization of the woman offender, both socially and legally. Women who do not conform to the socially acceptable defined gender roles are considered to be "abnormal" and are often considered to be suffering from madness or to be inherently bad (Adelberg and Currie, 1987,1993; Boritch, 1997; Faith, 1993). In any case, the effect is often to portray the criminal woman as having something wrong with her, generally in her genetic makeup. Recently, the media were reporting that scientists have found that the inner ear structure of a gay woman was similar to that of a male's inner ear. Thus, not only are biological theories still being accepted, they are actively pursued, but to what end? The problem results not in the findings but in the application of those findings -- does the public then conceive this woman to be an "unnatural" woman? The question to be asked is whether biological differences in women and men account for their criminal activities or whether the causal factors of criminality are located in societal structure and allocated roles.

2) By employing a socialist feminist methodology, a major assertion is that the foundation of the society is patriarchal; therefore, it is necessary to illustrate what sustains the patriarchal structure and how this system is detrimental to the situation of women offenders. This leads to the question of how the patriarchal society is perpetuated in the handling of women in the criminal justice system. Despite the feminist rhetoric, to what extent does patriarchy still shape justice policies in women's corrections?

3) In using a Marxist and radical feminist combination, the assertion in this thesis is that the prison serves primarily as a place of punishment for wrongdoers and as the ultimate show of power by the State. The prison has been used as a means of maintaining gender-roles and expectations. The question now becomes, is this still the case given the "feminist" approach in women's corrections?

4) Socialist feminists argue that gender roles are socially constructed and used as a control mechanism. Basically, this stance asserts that the roles of masculine and feminine serve the purpose of perpetuating capitalist society by ensuring that women fulfill the role of reproducing the work force by being, first and foremost, wives and mothers. These dual roles (roles that involve unpaid work) are the major duties of a woman. A woman not only replenishes the existing worker but her reproductive capacities allow her to breed more. If a woman does not fulfill these stereotypical roles as expected, her "deviance" can be punished in socially acceptable ways.

The fact that a large percentage of incarcerated women are single parents who have had difficulty maintaining the childrearing standards of the society indicates that women are judged for their "feminine" characteristics. Studies (Channels and Herzberger, 1993; Daly, 1987; Nagel, Cardascia, and Ross, 1981; Kruttschnitt, 1980-81, 1982a, 1982b; 1983, Kruttschnitt and Green, 1984) have been done which show that pre-trial and sentencing determinants based on judgments of personal characteristics and conformity to sex-role expectations play a larger role for women than men. The presence (or absence) of dependent children and domestic responsibilities appear to weigh more heavily for women than men. Carlen (1983) states that many judges "decide their sentence on the basis of their assessment of the woman as mother" (p.63). In contrast, however, the

assessment of a male as a father does not appear to have an impact upon sentencing of males. This sentencing discrepancy appears to be a blatant example of a patriarchal double standard. Therefore, it is necessary to explore this assumption further, especially in the face of the "new" philosophy of corrections. Are women judged by their ability to fulfil traditional gender roles? What types of programs and goals are identified for women in the new facilities and why?

5) The use of a socialist feminist perspective puts the emphasis upon the patriarchal base of the economic structure of the society and argues that the experiences of women and men are different because of this structure. This viewpoint sees women, in general, as being in the bottom sector of society and, therefore, as economically deprived and marginalized in a patriarchal capitalist society. For the most part, women comprise the "undesirable" group, along with racial minorities. In relation to female offenders, this assertion appears to be well supported, given that the typical woman offender has minimal education, is generally unemployed and living in poverty, and has more than a 50% chance of being aboriginal (Adelberg and Currie, 1987,1993; Boritch, 1997; Faith, 1993). When these characteristics are combined with the fact that most lawmakers are white, middle class and male, then it becomes easy to accept the view that:

Crime is a political concept, a label imposed on certain groups by those in positions of power and authority. As such, the imposition of criminal definitions must always be seen as reflecting a conflict between groups having the power to impose criminal labels, and less powerful groups who are "victims" of criminal definitions. (Lynch and Groves, 1989:43)

It is necessary, therefore, to explore whether women drift into criminal activity due to their placement in society with regards to economics and gender. Is there a correlation between women's involvement in crime and their economic placement in society?

Furthermore, are the crimes of women a result of paternalistic and/or patriarchal attitudes in society that are reflected in the justice system?

6) For the most part a feminist perspective takes the stance that rules were made for men, by men, and that men were the measuring sticks. The fact that this research takes a feminist perspective implies a critique of the existing work done by male researchers upon male subjects that was applied to women. The implication is not that this research is invalid but, rather, that in order for information to be valid with regards to women, it must also have been undertaken with women. The fact that, historically, the majority of studies have been done on male inmates and the results simply applied to women (Faith, 1993:121), reflects the system of patriarchy and paternalism that operated in the criminal justice system.

Paternalism is a subset of patriarchy that manifests itself in the practice of institutions by justifying actions and policies as "in the best interest of women", however, this reflects an ideology of the inferior status of women. In the case of women inmates, we have historically had a "father knows best" ideology of corrections. In this ideology, "fallen" women needed to be taken care of for their own good (Boritch, 1997:172). The negative impact of this "paternalistic" attitude towards women has been that it has "served to justify the higher rates of institutionalization of females, the rationale being that it is 'for their own good'" (Boritch, 1997:134). As well, women are seen as "doubly deviant": not only do they break the law but they also defy traditional gender role expectations. There is an opposing argument that women are treated less harshly than men in the criminal justice system due to their sex – the chivalry theory. Research into this area has suggested, however, that:

Stereotypical assumptions about appropriate behavior are more often applied in cases involving women than in those involving men. As a result not all women are treated with uniform leniency. By and large, leniency (the chivalry thesis) is reserved for women who conform to traditional stereotypes of femininity (with respect to dress, demeanor, marital status, motherhood, type of offence, etc.). Women who breach these expectations (the evil women thesis) are dealt with more severely. (Boritch, 1997 134-135)

Therefore, this research investigated whether the criminal justice system does indeed replicate class relations and/or gender socialization. Ultimately, what are the effects of the criminal justice system upon women and what goals are accomplished? Is this system beneficial for women or is it furthering the oppression of the old regime under a new guise?

### **Summary**

This research is women-centered in that the main object of investigation is the situation and experiences of incarcerated women; women are the central subjects of this research and the research attempts to be critical on behalf of women. One of the major goals of this research was to investigate whether a women-centered form of corrections has been achieved in an institutional setting. This research used a primarily feminist approach that located women structurally in society and showed the consequences of a patriarchal and capitalist society upon the correctional philosophy for women. The goal of feminist theory is to engage in positive, constructive research that creates alternatives (Gunew, 1990:59), not to merely discredit prior works as sexist and, therefore, as inconsequential.

This research relied on the basic assumptions that are inherent in most feminist perspectives (see Daly and Chesney-Lind, 1988) and which distinguish feminist work. These assumptions provided a focus from which to investigate the extent to which the

Criminal Justice System has oppressed women and whether it may continue to do so in its present "women-centered" form. The questions that arise through contemplation of the implications of using feminist theories provide a means by which to research and investigate the main question: whether a feminist form of corrections has been achieved or whether patriarchy is being replicated in a hidden form.

## **CHAPTER 3**

### **METHODS**

This study made extensive use of a literature review of secondary and primary sources concerning incarcerated women and those aspects of the criminal justice system that pertain to federally sentenced women offenders. Government documents, Royal Commission Reports and academic works by researchers in the field of women and criminology were investigated to catalog a history of neglect and paternalism within the Canadian prison system for women. The document *Creating Choices: The Report of the Task Force on Federally Sentenced Women* was analyzed to determine if, in fact, the new philosophy of corrections is "women-centered" as it was this document upon which the Correctional Service of Canada has based its official ideology of change. This document has been recognized by the government as its "blueprint" for change. In order to develop a profile of female inmates in Canada, government statistics and reports were relied upon from various departments, including Statistics Canada and the Correctional Service of Canada, as well as information compiled by the Canadian Association of Elizabeth Fry Societies (CAEFS).

#### **Field Research**

The field research conducted was both observatory and qualitative in nature, consisting of interviews and tours of the facilities. Interviews were conducted with persons from many segments of the institutional setting, including criminal justice personnel and program providers of the Prison for Women in Kingston (P4W) and the Nova Institution for Women in Truro, as well as members of the Elizabeth Fry Society.

Ideally, I would have liked to interview inmates at both the Prison for Women and the Nova Institution for Women, covering the transition from the past to the present.

However, after careful consideration of the benefits of this study to the inmate population, I decided that I could reach the goals of the research without interviewing incarcerated women.

Taking into consideration the fact that due to budgetary and time restraints, this research was encompassing only those women incarcerated at Nova (which only has a maximum population of 28 inmates) of whom considerably less than half had served time at P4W, it became obvious that these women could be very easily identifiable by those so inclined. Although I believe that their input would be immensely valuable, I could not in good faith put these women in that vulnerable a position. Another reason for this decision was the reality that this research would produce very limited, if any, positive change in these women's situation. Other than giving them a voice in an academic paper, most likely this research has no further applicability to their current situations. The sample and area of research is too narrow to provide any generalizability to which the appropriate powers would grant credence. This is especially evident given the Government's own record of having commissioned more than 14 Royal Commission studies on the situation of incarcerated women before taking action in 1990 to implement a recommendation that was originally made in 1849. Thus it was important to take into consideration the words of Sjorberg and Nett, who asked:

What are the possible impacts upon science, upon the group being studied, and upon the broader society of my data collection, analysis, and subsequent publication? In answering this question, the scientist must often cope with the rather fuzzy, on occasion conflicting, ethical norms current among scientists, among the subjects studied, and within the broader society. (1968:121)

It was decided that the impact upon the group being studied was too exploitative and that the study would have too little benefit to the participants to warrant an invasion of their

privacy. Also, I had a concern about the possible impact of this research topic on the institution's future availability to researchers. Keeping that issue in mind also led to the decision that, in this case, it was best to interview non-inmate participants in order to maintain the integrity and professionalism of the discipline of sociology by not using the institution for research, thus avoiding potential access problems for future researchers. As well, I had concerns regarding the issues of confidentiality, both with regards to the participants' identity and legal requirements. Although I could assure participants that I would not disclose their identity I could not guarantee that others would not be able to identify them. This was more complicated than the issue of confidentiality for the "regular" person due to the fact that institution officials and workers would have knowledge of who I had interviewed. Further, because of the nature of the institution, those involved in the system would have a more intimate knowledge of the participant inmates' situation than, perhaps, a layperson would.

Consideration also had to be given to the fact that, although I would like to assure my participants that I would divulge neither their identity nor damaging information about them to others, I could not guarantee this should the law request it. As any other citizen I am bound by law to disclose certain types of information that I may learn about sexual, physical or mental abuse or about crimes that may have been undetected, should such information be relayed to me. Although I would have acknowledged this directly to any participants, I was well aware that the relationship between myself and incarcerated women is very unequal. I would have been taking information from them to use for my own purposes. The roles of the researcher and researched are very different and unequal

in this situation. The fact remains that I am an outsider, doing research for personal academic gain.

It was possible, as an alternative, to minimize the risk of identification of participants by interviewing former inmates. I decided not to do this for a variety of reasons. The main reason was that one of the main criteria of selection that I felt was important was to have inmates who had been in both P4W and Nova. Given that Nova has only been in operation since late 1995, this would comprise a very small group from which to solicit participants, if any. Another problem would be contacting these individuals. Generally, released inmates are quite transient and it is likely that response would be minimal. As well, there was some concern over the fact that, by interviewing ex-inmates, I would also be in an unprotected position. Although women offenders are generally non-violent, this is not necessarily the case for those with whom they associate. The danger of my involvement might have been directed more to the former inmate than to myself. As well, there was some concern that reviving the incarceration experience might not be what the women needed at this point in their lives. In addition, using the Elizabeth Fry Society as a means of contacting former inmates may have been perceived by some women as a demand rather than a request to participate. For many newly released women, the Elizabeth Fry Society or a similar organization is their lifeline and they might feel coerced into participation in this research project.

Having chosen to exclude presently and previously incarcerated women from my study, it was not possible to include their "voices" directly. It was possible, however, to substitute the voices of advocates for women in penitentiary, specifically the members of the Elizabeth Fry Society. This possibility, however, was not realizable in practice. The

Elizabeth Fry Society was not relied on extensively for interview purposes mainly because it has a very small chapter in the Atlantic region. The Nova Scotia Mainland region has one permanent staff member and one term contract member. The base of volunteers is transient and very small - often falling to just a handful of people. As well, the Elizabeth Fry Society is mainly involved with provincial inmates and, to date, only the permanent staff has had any contact with federal inmates and even this contact has been very limited. The Elizabeth Fry Society is not currently running any programs at Nova nor does progress in this area seem imminent.

Initially, I believed that the input of the Elizabeth Fry Society would be very important as it is considered by the Canadian public to represent the concerns of the inmates and is generally considered to be a spokesperson for inmates. Unfortunately, this interpretation was not confirmed by many of the inmates I did meet informally. The general feeling I received was that Elizabeth Fry is considered to be ineffective for the individual inmate. As one inmate put it, "Don't get me wrong, you guys are great giving your time for Bingo and Crafts -- but in the last 15 years that's all they have been good for." I do not take this to mean that the Society is ineffective, but rather that the work of the Society has more of an impact upon larger scale policies and procedures that the inmate does not believe affect her individually.

Nevertheless, contact was made with the Elizabeth Fry Society. It has proven to be a valuable resource for information and has provided input from the Society's perspective for this research project. The Canadian Association of Elizabeth Fry Societies (CAEFS) was deeply involved in the design and implementation of the Regional Facilities. Initially, CAEFS was a member of the Task Force on Federally Sentenced

Women but withdrew when they felt that the recommendations of the Task Force were not being followed. At this time the Elizabeth Fry Society is having difficulty running volunteer programs at Nova. Originally this was due to the initial problems experienced at Nova with the problematic behavior of some inmates, but the tension between CAEFS and Nova has never been fully resolved. Nevertheless, the Elizabeth Fry Society was a useful source of background information about the justice system for women and the identification of issues women face in society.

I have found that some of my most important contacts have been women's groups that have actively been involved in providing services and support to female offenders as well as the correctional officials who are involved with incarcerated women. Unfortunately, not all of the information gathered from these contacts could be used in this research as much was received on an "off the record" basis or in a capacity which I could not in good conscience use for my own purpose. My own experience as a volunteer working with provincial inmates has provided me with insight into the inmates' perception of the criminal justice system, its recent changes, and the volunteer societies that work with incarcerated women.

### **Interviews**

The goal of the research was to determine whether the transition from P4W to the regional sites has advanced women's situations or oppressed them more through creeping paternalism, particularly in the form of the belief in the need to protect women. The main technique for gathering primary data to address this goal was the semi-structured interview.

I felt it imperative that the interviews took place in a setting as private and comfortable as possible. The interviews were semi-structured open-ended interviews that allowed for some probing into specific areas of interest, while still being receptive to unexpected or perceived areas of concern on the part of the respondent. Semi-structured or unstructured interviewing is a qualitative data-gathering technique and, according to feminist ethicist Janice Raymond, "the unstructured research interview employing open-ended questions ... maximizes discovery and description" (cited in Reinharz, 1992:18). The selection of this type of interviewing technique was influenced by the woman-centered emphasis I wanted to place on this research. Though feminist methods may encompass a variety of ways of gathering data, both qualitative and quantitative, depending upon the manner and purpose for which a method is used, my own bias for in-depth and personal experience suggests qualitative research methods.

For one thing, interviewing offers researchers access to people's ideas, thoughts, and memories in their own words rather than in the words of the researcher. This asset is particularly important for the study of women because in this way learning from women is an antidote to centuries of ignoring women's ideas altogether or having men speak for women. (Reinharz, 1992:19)

In this particular research project I felt it was especially important for semi-structured interviews to take place because of the past history of studies that were commissioned by the government, and then interpreted and implemented that had totally disregarded or ignored the voices of the people, specifically the women, involved. As well, I wanted to be sure that the issues that were identified were not of my own making because of the use of a highly structured interview set. However, it was necessary to have a guide with which to cover specific areas of inquiry (see Appendix A). These areas of inquiry included such issues as the "new" philosophy, security classification,

programming, geography and isolation, integration of community, incarceration, and rehabilitation.

The interviews took place in two institutions, the Prison for Women in Kingston, Ontario, and the Nova Institution for Women in Truro, Nova Scotia. The interviews consisted of semi-structured questions and the discussions that evolved from those questions. In all interviews the researcher and respondent(s) were the only ones present. In two cases two persons of the same job classification were interviewed together. The atmosphere during the interviews was companionable and open. All information gained was freely and openly given with no apparent sense of unease. Seven personal interviews were conducted ranging from thirty minutes to one and a half hours. In addition, two members of the Elizabeth Fry Society provided information through the use of electronic mail and telephone calls.

Access to the Institutions was not granted easily. Numerous phone calls, letters and faxes were sent over a period of eight months before access was granted. Other than being informed a tour would be permissible, it was unclear with whom I would be able to speak until after I arrived. Consequently, interviews had to be arranged after my arrival. My informants, then, were those who were available at the time of my visit and who agreed to be interviewed at that time. This procedure was dictated by circumstances. In both cases, however, I was able to interview key informants. While the warden of P4W was unavailable the Chief of Staff of Psychology who does most of the day to day management work of the prison was a close equivalent.

Interviewed at the Prison for Women was the Chief of Staff of Psychology, two Behavioral Science Technicians, and two Correctional Officers or "guards" as they

referred to themselves. Interviewed at Nova were: the Warden, a Programs Officer, and a Team Leader of Management Services (who provided the tour and information on the daily routine of Nova). I also held a brief conversation with the chaplain. Both facilities were made available for viewing and in both, but most remarkably at the Prison for Women, Kingston, I was able to interact and speak with the inmates informally. Over the course of my time at both institutions it was explained to everyone I came into contact with that I was conducting research for a Master's thesis at Acadia University on Women Offenders and the federal prison system.

The reception by all was open and forthcoming. At the Prison for Women in Kingston a group of inmates remarked that they felt that more research of this type was needed and that an awareness needed to be fostered in the communities of the realities of their situations – both in and outside of the prison system. The inmates were very eager to talk and appeared genuinely interested in the topic, especially its outcome. I explained to them why I was not interviewing inmates and some invited me to come back at a later date when I was further in my career!

Interviews were also conducted with two volunteers of an agency that has been involved with women offenders. Both of these interviews were conducted over the internet and with telephone calls, due to the expense and difficulty personal interviews would have entailed.

As well as information gathered formally, as a volunteer with the Elizabeth Fry Society of Halifax I am also able to draw upon my own experience of involvement with incarcerated women at the provincial level (some of whom have spent time in the federal

system) in order to provide a sense of comparison among the views of representatives from different jurisdictions.

Areas of inquiry in the interviews included the types of programs available, access to treatment, healthcare, family visitation, sex role expectation/perception, input into own care, the impact of the new philosophy of corrections upon the inmates, the major differences between P4W and the Regional Facilities, and any issue that the participants themselves deemed necessary to discuss. All of the respondents were advised of the purpose of the study, their rights to participate and to withdraw, confidentiality, and the manner in which the documents would be stored (see Appendix C). Most of the participants interviewed did so with the agreement that they would be identified in the thesis. This is not unusual given that most of the persons who granted an interview did so from their official capacity within the positions that they hold in the institution. In order to be granted these interviews I initially made contact over the telephone, followed this by correspondence outlining my research project, and then submitted to a criminal record check and security clearance procedures.

It is likely that I was not as forthcoming about the goals for the research as I could have been. Often in research we have a tendency to fail to mention some aspects or goals of our research while still providing a truthful overview of the project. Is my failure to specify that I was looking at social control and patriarchal issues in the prison for women a deception? I have chosen to define it as not or at least as justifiable deception. My rationale is that I did not want to influence the respondents into either seeking to agree with me or attempting to debunk this notion. Do the ends justify the means? In this

situation, I have justified the deception (if it may be such) by regarding it as more of an omission of an unnecessary bit of knowledge rather than as misleading.

### **Summary**

This research was conducted primarily from a socialist feminist perspective and therefore employed a method of qualitative research which complements this perspective. This involved an extensive investigative literature review, a document analysis, tours of the facilities and interviews with those involved in the correctional system on a daily basis. Inmates were not interviewed due to concern for the repercussions that such involvement might have upon them. However, the Task Force on Federally Sentenced Women has provided an adequate source of inmate perception from which to draw upon in their document *Creating Choices*. The document *Creating Choices* was critically assessed as it is the "blueprint" for the official new "women-centered" philosophy of corrections.

Interviews were conducted using a semi-structured questionnaire guide. The use of a semi-structured format allowed for probing of areas of interest to the research while also leaving open the possibility of including unforeseen issues of relevance to the participants.

## CHAPTER 4

### HISTORICAL REVIEW

#### DEVELOPMENT OF THE PRISON FOR WOMEN

##### Incarceration of Criminals

In Canada the first penitentiary opened on June 1, 1835 in Kingston, Ontario by admitting six inmates (CSC, 1985:5). It was intended to reflect the idea of an institution as a place where criminals would do "penance" and become reformed. This was to replace the previous system in which jails or gaols were used mainly as a holding place for persons awaiting punishment. Punishment usually took the form of physical torture and even death. Incarceration in prisons was a new and innovative idea and reflected a move towards a more civilized and humane philosophy of punishment (Boritch, 1997:171-172). In North America, prisons were erected beginning in the 19th century as a result of the influence of Quaker ideology that wrong-doers, if incapacitated, would use this time to seek penance through a combination of meditation, religion, discipline, and labour (Faith, 1993:121).

This new and innovative method of penal practice was designed and implemented for men, even though it was known that women would eventually be housed at the penitentiary. The first three female prisoners<sup>1</sup> arrived in September of 1835 and were "temporarily" housed in the hospital until a separate facility became available. The prison's focus on males was due to the existence of relatively few female criminals.

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<sup>1</sup> The first three female prisoners were Susan Turner, Hannah Downes and Hannah Baglen, all convicted of larceny (CSC, 1985:86).

Those few female criminals who did exist were explained away as emotional, physical and psychological aberrations.

At this point in our history women were viewed as “naturally inferior” to men, and this inferiority explained their natural passivity. Therefore, no structures were put in place for the care of female offenders. Thus it was not until 1839 that a section of the North Wing of the Kingston Penitentiary was assigned specifically for women (CSC, 1985:86). In 1853 a separate ward for women was established, and 81 years later (1934), the Prison for Women was opened (Vachon, 1994:2) providing a separate facility for women which was not fully operational until 1938. Until that time women had been housed in the men's penitentiary in whatever section of the institution was most convenient.

#### **Fallen Women (1800's -1920's)**

Women who committed crime were seen as lacking maternal instinct and ladylike qualities and were, therefore, seen as being manlike (Comack, 1996(b):161-162). Moreover, the overriding view of women being a nuisance for the Kingston penitentiary resulted in women being placed in the most “abominable conditions including infestations of insects and rodents, filth, inadequate nutrition, disease, total idleness or meaningless labour, harsh punishment for prison infractions, and sexual abuses by male guards” (Faith, 1993:193). Female offenders were viewed as “fallen women,” (Boritch, 1997:172); they were considered to be ‘unnatural’ women, as well as mentally and sexually deficient. In 1895 Cesare Lombroso wrote *The Female Offender*, which stated that, although women were generally passive, there was a small group of ‘masculine’ women who were criminal. These women appeared closer to men in both emotions and

appearance. Lombroso's theory was known as the masculinity hypothesis (Siegel, 1992:90). Another popular view of the time was that criminal women were sexually controlling or naive, either using men or being used by them. Given these conflicting and contradictory views of women's criminality, they were usually considered to be redeemable; however this did not translate into a need to provide a semblance of humane treatment for them. Women offenders were both abhorred and pitied.

Women were viewed in a contradictory fashion as needing both protection and punishment. The goal was to instill in criminal women feminine characteristics and family values through instruction in religion, hygiene and "women's work" (Faith, 1993:127-131). Unfortunately, this "work" often included fulfilling the sexual needs of the male guards as well as performing the "feminine" duties of cleaning, cooking and laundering for the male inmates.

This blatant disregard for the needs of women within the prison system was the torch that fueled public outcry in Canada over the need for reform of correctional practices for women in the mid 1800's. In 1849 the warden of Kingston Penitentiary was charged with a variety of offenses regarding excessive punishment and poor conditions for women prisoners. This led to the appointment of a Royal Commission, the Brown Commission, which not only exposed a wide variety of abuses of female inmates, but also made the original recommendation that separate quarters be built for female federal inmates. Unfortunately, this recommendation was ignored and continued to be ignored until 1913. Thus it was not until more than 65 years after the initial need was assessed that separate quarters for women were erected. However, although separate quarters were provided for female inmates, these were still within the walls of the men's penitentiary.

This move, however, was not the advancement for female inmates' rights that it was envisioned to be. Less than a year later, in 1914, the Royal Commission on Penitentiaries, the Macdonnell Report, recommended closure of those quarters and said that female inmates should be housed provincially. The report stated that "the interests of all concerned would be best served if these few inmates were transferred [and] ... arrangements ...[were] made with the provincial authority for the custody of all female offenders" (CSC Task Force, 1990: 35).

### **Crusade for Improvement**

In 1921, Agnes MacPhail, the first woman Member of Parliament, began a dedicated crusade regarding the archaic conditions of Canadian prisons and especially the welfare of female inmates. In 1925, construction began on a new women's institution which was completed in 1935. The recommendation from the 1914 Royal Commission that women be housed provincially was not heeded. One federal Prison for Women (P4W) was built across the street from the male penitentiary in Kingston. The Prison for Women was not fully operational until 1938 (Faith, 1993:126-127). In that same year the Archambault Commission called for its closure. This was the first of many commissions to recommend that the Prison for Women be closed.

Although the separate quarters for women improved women's living conditions, one of the main concerns was the women's geographic dislocation from home and family. Having only one federal prison for women in the second largest country in the world was definitely not a progressive move towards family reunification. The 19th century female offender had few visitors and, although attempts had been made over the decades to address this issue, little has improved. In 1989, P4W allowed women inmates

one 15-minute telephone call to family per month. In 1990 this was increased to two calls per month. The institution began allowing an inmate whose spouse was also federally incarcerated a 15 minute call per week from the spouse and also initiated a "private family visiting" program which funded one visit a year (Vachon, 1994:4). There is one area, however, where it appears that the system has regressed: maintaining mother and child ties. In the 19th century incarcerated women were allowed to keep infants with them until weaning. Sometimes even young children were kept with their incarcerated mother, if no other care alternatives were available (Vachon, 1994:4). This policy was later changed and children were removed from the care of incarcerated mothers.

An echo of the 1914 recommendation was heard in the Archambault Commission of 1938, four years after the "new" prison had opened, that again called for the federal government and provinces to make agreements to house female inmates closer to their home communities. It was not until 1972 that such exchange of service agreements began. These agreements were very limited and excluded many federally sentenced women from eligibility for transfer to a provincial facility (Vachon, 1994:2).

#### **Prison for Women (1934)**

The "new" 1934 prison for women (P4W) actually resulted in a worsening of conditions for federal inmates. The structure was bleak and forbidding, bare stone surrounded by a five-meter wall topped with barbed wire. Later an eighteen foot high concrete wall was constructed to contain the most 'serious offenders' which included young girls in for prostitution and drugs, as well as some older women who had killed abusive spouses (Faith, 1993:138). Imprisonment in P4W was certainly a harsh sentence for women, exceedingly so when the options for men are considered. The small number

of women did not allow for the movement of women from maximum-security ranges to minimum-security in the same way that existed for males. (Chunn and Gavigan, 1991:300). All female offenders were subjected to the maximum-security level of the worst criminal amongst them, despite their own assessed level of security risk.

To make the situation even worse, the cells for the women were windowless. The inadequate structure of the men's penitentiary had been reproduced for the women, despite the various Royal Commissions that had cited the inadequacies and harmful nature of such an environment upon women. This "advancement" had actually taken away what few advantages the women had received while housed within the prison for men. No longer did women have access to the little outdoor garden plots, any type of recreation equipment and facilities, outdoor grounds and, especially, to the educational facilities that had been available to them in the men's penitentiary.

The new P4W had a 100 bed capacity but, until the 1940's, it never operated at more than 75% of that capacity. An increase in the 1950's was due to the Doukhobor protests in British Columbia and to an increase in the sentencing of female drug offenders. By the early 1960's the prison was so overcrowded that it was expanded to add another 50 beds. Finally, after close to 60 years of recommendations, the government announced a plan to close P4W and to create five regional facilities across Canada in the early 1990's. This decision followed a rash of deaths in P4W at the inmates' own hands.

In 1989 there were six suicides in the Prison for Women and, by 1991, that number had increased to eight. Considering that the prison housed an average of 115 women during this time, this is a very significant percentage of women and was cause for

further investigation into the conditions at the Prison for Women (Hannah-Moffat, 1994:11), conditions that had been eloquently described as "unfit for bears, much less women" in the 1977 MacGuigan Report (1977:135). A Task Force Report in 1990, following these incidents in P4W, recommended again that the Prison for Women be closed. This time, however, the government was prepared to act on the recommendation.

### **Inadequacies of the Prison for Women**

The 1990 Task Force on Federally Sentenced Women identified nine major themes from the fifteen government reports (Appendix C) on the incarceration of women. These are the recurring themes as identified in the 1990 Task Force on Women (pp. 36-42):

- **Prison for Women (P4W) is not adequate.** This has been recognized since the opening of P4W in 1934 and has been repeated in every study since.
- **Prisons for women are over-secure.** The Ouimet Report (1969), Royal Commission on the Status of Women (1970), MacGuigan Report (1977), and the 1988 House of Commons Standing Committee on Justice and Legal Affairs have all observed that the majority of federally sentenced women were being detained in facilities which provided much higher security than they required and more than that to which men in similar situations were subjected.
- **Programming is poor.** Almost every report since 1934 has identified that federally sentenced women are treated as an 'afterthought' in regards to programming variety and quality. As well there was a lack of adequate programs regarding the abuse and dependency that many of the women had experienced.

- **Women are isolated from their families.** This is an issue that has been raised since the 1934 opening of P4W and was addressed in the 1914 Macdonnell Report, which recommended provincial housing of federal female inmates before the construction of a centralized prison for women. The geographic separation of women from their families has proven to be an insurmountable barrier with the existence of only one federal prison for women in Canada.
- **Needs of francophone women are not met.** Both the Ouimet Report (1969) and the Chinnery Report (1978) identified a lack of French language programs as having a serious impact upon francophone women. Other reports that have recognized this problem have advised that increased provincial involvement would address these needs.
- **Needs of aboriginal women are not met.** The needs of aboriginal women have not been addressed directly in past reports. There has been some general recognition that aboriginal women face specific issues related to their cultural dislocation, but no action has been undertaken to identify or address their needs specifically.
- **Responsibility for federally sentenced women must be broadened.** Again this is an area that has been recognized since the 1914 Macdonnell report and repeated in most reports since. The main recommendation was that women should be returned to their home provinces. Provincial authority must be extended in regards to women serving federal sentences.
- **Integrate women into the community.** This theme has appeared and reappeared over the decades, especially in regard to the separation of women from their families, particularly young children. Federally incarcerated men do not face the same degree

of dislocation from their families and home communities and have an advantage with respect to reintegration into their communities upon release.

- **Incarceration does not promote rehabilitation.** Although rehabilitation is considered to be the goal for federally sentenced women, most reports have reflected the consensus that incarceration does not achieve this; rather, it succeeds only in removing the offender from the public for a limited time and benefits neither the offender nor the public.

The 1990 Task Force on federally sentenced women has been the most significant research done on Canadian women to date. The Task Force commissioned numerous studies (see Axon, 1989(a), 1989(b); Evans, 1989; Sugar and Fox, 1990; Shaw, 1991; Shaw et al, 1991, 1992) that produced a wealth of original and comprehensive data, and supported the numerous reports regarding the inadequacy of the current system as well as critically evaluating the underlying philosophy and treatment of women. From this information the Task Force developed a feminist framework for new services designed for imprisoned women. This was the first time in Canadian history that an analysis of the welfare of imprisoned Canadian women was considered from the viewpoint of the actual women concerned. However, the exclusive focus of the Task Force upon the inmates and advocacy groups may have led to an omission of the perspectives of correctional officers and others who work at the Prison for Women (Moffat, 1994:468). Despite all the attention paid to the Task Force as breaking new and innovative ground in the area of female corrections, it must be noted that the Task Force was also in keeping with at least a dozen previous reports in its recommendations that P4W be closed. Why is it that this time the Government paid attention (Adelberg and Currie, 1993:16-17)?

### Contribution of Feminist Groups

The Charter of Rights and Freedom probably had an impact on this change of climate, as groups of feminists had begun lobbying the government for equality provisions at the same time the Task Force was involved in its study. The Task Force even cited the existence of Charter challenges to federal treatment of female prisoners as an important factor in the environment supporting a change in programs and policies.

The Legal and Education Action Fund (LEAF), a feminist litigation fund, brought to the court two civil suits on behalf of inmates serving federal sentences at P4W. As these cases were about to come to court, the federal government announced its implementation plan of the recommendations of the Task Force. LEAF's case was based on the assertion that the current practices of the

Correctional Services of Canada violated women's guaranteed equality rights by the failure of the system to provide equal means for women to serve their sentences within a reasonable distance from their homes; to provide equal parole opportunities; to provide equal programming; and to provide quality and standards of facilities both in comparison to men and in comparison to federally sentenced women serving their sentences in another institution. (Adelberg and Currie, 1993:18)

As well, LEAF noted that the prisoners, in addition to considering this treatment inadequate, were adamant in believing it was unconstitutional.

Furthermore, the July 15, 1990, Saskatchewan Court of Queen's Bench's ruling in the case of *The Queen v. Carol Maureen Daniels* found that Ms. Daniel's Section Seven Charter rights to life and security would be violated if she was incarcerated where she would be at a high risk of committing suicide. As well, it was cited that her Section Twelve Charter right not to be subjected to cruel and unusual punishment would be violated if she were incarcerated at P4W, an institution far from her home, family and

friends. To address this situation, the Saskatchewan Penitentiary (a male institution) opened up a five-bed wing to house women. Even though the Daniels' ruling was later set aside on a technicality, no court has again attempted to determine whether the existence of a centralized federal prison for women violated the Charter rights of women (Vachon, 1994:2-3). It may be that the decision to implement the five regional facilities is an attempt to prevent this challenge.

The change in reception could also reflect the fact that, until fairly recently, criminological theory has portrayed women offenders as deviators from their socially defined feminine and sexual roles. This is illustrated in a statement made in the Royal Commission on the Status of Women report of 1970 which contends that "women who encounter ... correctional institutions are treated in accordance with the traditional concept of a woman's role that is no longer necessarily appropriate in the 1970's" (as quoted in Ekstedt and Griffiths, 1988:337) and is even less so in the 1990's. As the feminist critique of criminological theories has advanced, so too has the reception to alternative theories of women's criminality.

Since the 1970's the women's movement has contributed to highlighting problematic areas in women's imprisonment. Feminist groups have identified the inequalities that exist in the provision of facilities and programs for women compared to men. It is ironic to note that correctional authorities have said that the large number of male offenders impedes the development of programs for men, yet they also refer to the lack of numbers when referring to the program development for women:

We are always saying that if we only had fewer men, we could really do something. What an irony! Here we have a small number of women and instead of taking advantage of the

situation, we use it as an excuse for not doing anything because the numbers don't justify the resources. (Berzins, 1977:6)

Feminist groups have graphically and loudly emphasized the reality of the outdated model of women's roles in society, stressing women's non-economic domestic roles and the poverty of women's lives. The victim's movement, which has exposed the high levels of physical and sexual abuse women suffer, specifically that which imprisoned women have experienced in their lifetime (Shaw, 1991: v), supplements this view of reality.

The issue of female prisoners is most likely connected to greater interests in society concerned with the reform of social institutions to better reflect the rights and roles of women (Ekstedt and Griffiths, 1988:335-336), and the effect of these broad interests have been felt amongst the small population of female inmates. The double standard of justice that exists arose, in part, because the criminal law and its administration are based on the idea of universals that are male centered. The reality, however, is that women's experiences are different from men's; and therefore, a gender-neutral theory in practice leaves women in a disadvantaged position, just as they are in the greater society (Chunn and Gavigan, 1991:301).

The 1988 appointment of Ole Ingstrup as the new Commissioner of Correctional Service of Canada also was significant in advancing the welfare of female inmates. Ingstrup presented a commitment to reform the treatment of female offenders that was radically different from his predecessors, who had dismissed female offenders as insignificant. One Commissioner had actually remarked concerning the plights of female prisoners that: "That's 250 women in all of Canada: now to me that's not a very large number" (Adelberg and Currie, 1993:20). Ingstrup, in contrast, made a commitment to

"meet the needs of federally sentenced women" (Adelberg and Currie, 1993:23) recognizing that the Correctional Service of Canada's programming and accommodation of federally sentenced women was inconsistent with the general principles of the Mission of the Correctional Service of Canada.

For the most part the policy of federal centralized imprisonment of women was ill-advised from its inception, as adequately illustrated by the numerous commissions and reports that date from the early 1800's that all advised against this practice. The only adequate explanation for why the system was maintained was for bureaucratic reasons, unfortunately at immeasurable cost to the prisoners. It is accurate to say that:

Historically, female federal offenders have been one of the most neglected segments of the Canadian correctional system. The sole prison for women was located in Kingston, Ontario, forcing many female offenders to be incarcerated far from their families and communities, separated not only by walls and bars, but by a great geographical distance. In a sense, these women were exiled. Further, although this was a prison for women, most of its organization, structure and programs merely reproduced those designed for prisons for men. In a nutshell, the correctional system was attempting to meet the needs of generic offenders, not female offenders, and clearly that was not sufficient. (Leblanc, 1994:10)

#### **Closure of P4W**

In September, 1990, close to 60 years after the 1938 Archambault recommendation that the Prison for Women be closed, federal Solicitor General Pierre Cadieux announced that P4W would be closed in 1994 and replaced by five regional facilities. These regional facilities would enable federally sentenced women to serve their time in a location closer to their homes. The new facilities were to stress education, counseling, and drug and alcohol treatment for abusers. Today, in 1998, the Prison for Women is still open and houses approximately 20 to 30 women in antiquated conditions.

These are women who have been labeled maximum-security and deemed unsuitable for the regional facilities.

In order to implement this plan, the Correctional Service of Canada chose the following sites for the new facilities:

Truro, Nova Scotia - for the Atlantic regional facility;<sup>2</sup>

Kitchener, Ontario - for the Ontario regional facility;

Joliette, Quebec - for the Quebec regional facility;

Edmonton, Alberta - for the Prairies regional facility;

Maple Creek - Nekaneet, Saskatchewan - for the Healing Lodge for aboriginal women; and

Burnaby, British Columbia - the already existing Burnaby Correctional Centre which would serve as the Pacific regional facility.

According to the Correctional Service of Canada (1994), the operational model to be employed to meet the needs of the women would be community-oriented, holistic, women-centered, culturally sensitive, supportive of autonomy and self-esteem, and oriented toward release. The treatment programs would focus on areas of physical and sexual abuse, substance abuse, suicide prevention, and self-injurious behaviour. Programs addressing issues of parenting would also be developed to complement the traditional programs regarding education and vocational training as identified. The goal was to have the women's lives represent as closely as possible the daily living experiences of life in an outside community (Leblanc, 1994:12).

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<sup>2</sup> There is rarely even a sole FSW from Prince Edward Island, and for Newfoundland there is a unique agreement from 1949 that provided for all federally sentenced persons to remain in the province. Only a federal facility located in Newfoundland or another appropriate accommodation option can terminate this agreement.

Although in theory, the implementation plan appears to address the issues identified by the women as needing specific attention, the ultimate test of whether these programs will be delivered in an effective manner will be the effects upon the women involved. The challenge is not the intent, but rather the ability of the Correctional Service of Canada to be able to provide the services necessary to women offenders within a penal environment, especially in the smaller regions with the resultant smaller populations. Given the relatively small population of federal female inmates, and their low propensity towards violence, perhaps the challenge should not be how to develop an innovative system within the walls of a prison but, rather, to create an alternative approach to the incarceration of women.

#### **P4W 1994 "Riot"**

The severe problems of the existing model were underscored in April, 1994, when the Prison for Women in Kingston was the site of what has been termed a "riot." It has been said that these events were not by far the most serious of events to have happened in a Canadian penitentiary, and that loss of life and self-injury are among many tragedies that occur unknown to the Canadian public within the Prison for Women. The main focus of the Arbour Inquiry into the events of April 1994 was not with the "riot" and what had happened, but rather, the response of the Correctional Service of Canada to the events and the ensuing implications.

On the evening of Friday, April 22, 1994 there was a violent confrontation between six inmates and a number of correctional staff. Although brief in its duration, the impact of the incident was wide ranging. Both the inmates and correctional personnel involved felt the effects of the incident for a long period of time and some have still to

recover fully, if they ever will. The six inmates involved in the confrontation were placed in segregation on April 22, 1994 and were not released from this unit until December 7, 1995, with the last woman being released on January 19, 1995. Throughout the time period from the April 22, 1994, incident until May 6, 1994, when five of the women were involuntarily transferred to the Kingston Penitentiary for men. During this time the Prison for Women, especially B range, was kept very secure and segregated. This time period was characterized by increasing tension and unrest between the inmates and staff (CAEFS Annual Report 1994/95).

The majority of the public fallout from this incident, however, is from the evening of April 26, 1994 when the Warden of P4W called in the male Institutional Emergency Response Team (IERT) from the Kingston Penitentiary to conduct cell extraction and strip searches of the women in segregation. As according to procedure, the exercise was videotaped (Arbour Inquiry, 1996:25). It was this videotape of the strip searches conducted by male IERT members, shown on the CBC program "The Fifth Estate" on February 21, 1995, that brought to the attention of the Canadian public the inadequacy of the facilities at the Prison for Women and the realities of the conditions of this prison. The public was appalled by the response of the prison system to the "riot." This outrage was echoed in the findings of Correctional Investigator R. L. Stewart, who stated in his Special Report of the Correctional Investigator that:

This exercise was, in my opinion, an excessive use of force and it was without question degrading and dehumanizing for those women involved. ... The level of insensitivity displayed following the 26 April ERT intervention is difficult to comprehend and indefensible. ... The Service's responses to this entire matter can be characterized as "**admit no wrong, give as**

little as possible and time will eventually resolve the matter."  
Hardly consistent with the Service's motto of Accountability,  
Integrity, Openness. (1995:6-8, emphasis in original)

Once again, it was demonstrated that the Prison for Women and the mode of corrections for women had progressed little over the decades despite the numerous reports and recommendations. Given the glaring light of publicity, the change to the five regional facilities was more than ever a test of the Correctional Service of Canada's commitment to advancing into the future with a women-centered philosophy of corrections, leaving behind a legacy of neglect, indifference, archaic conditions and barbaric treatment.

### Summary

The history of the imprisonment of women can best be described as a sordid chapter in the Canadian penal system. Women as prisoners were, at best, overlooked and often portrayed as "wicked" and "unnatural," resulting in the outright neglect and apathy that typified their existence in the system. It was not until 1934 that a separate prison for women was built, and even this recognition of the need of women inmates to have designated facilities did not recognize the realities of the plight of the women involved. The centralized P4W was built despite previous government reports, which had recommended decentralized facilities as far back as the Brown Commission of the 1800's. P4W was, for the most part, a replication of the Kingston Penitentiary that had been designed for the male offender. It was not until 1990 that a definite commitment to action was made to remedy the concerns that had been exacerbated by the building of P4W. The main issues identified concerned the fact that women were isolated from their

communities and families, that the prison was over-secured, that the facilities and programming were inadequate, and that incarceration does not promote rehabilitation.

The 1990 Task Force on Federally Sentenced Women and the subsequent commitment of the Correctional Service of Canada to implement the recommendations of the Task Force marked a new era in corrections for women, which promised to remedy the neglect of the system towards women. The emphasis of the new system of Regional Facilities to be "women-centered" holds out the possibility of a system of corrections for women that will take into consideration the needs of the inmate as both a woman and an individual. The challenge of this research was not whether the Regional Facilities would become operational but whether it is possible to have a "women-centered, feminist" method of corrections while still incorporating a system of incarceration. The question for this research was to investigate whether or not the Regional Facilities improved the plight of women offenders in Canada or serve to further oppress them. In order to do this we need to first look at who the women are.

## CHAPTER 5

### PROFILE OF FEDERALLY SENTENCED WOMEN

The intent of the new "women-centered" approach to women's corrections can best be described by the words of James Phelps, who was the Deputy Commissioner in charge of Correctional Programs and Operations and also Co-chair of the Steering Committee on the Task Force on Federally Sentenced Women. He said, "we need to look at who, fundamentally, the women are, what are their needs, and then design an institution around that knowledge" (CSC, 1990:28).

#### Who is the typical federal female inmate?

The typical federal female inmate tends to be under the age of 35, although ages range from 19 to 74. On March 31, 1997 51.5% of federally incarcerated women were between the ages of 20 and 34, compared to 46.7% of males in this age group. In absolute numbers this equals 184 women compared to 6, 574 men in that age group (Solicitor General of Canada [SGC], 1997: 10-11).

**Table 5.1**

#### **Previous Terms of Incarceration (March 31, 1997)**

<b>Previous Terms of Federal Incarceration</b>	<b>Male</b>	<b>%</b>	<b>Female</b>	<b>%</b>
None	7,581	53.8	267	74.8
One	2,448	17.4	44	12.3
Two	1,576	11.2	21	5.9
Three	1,023	7.3	11	3.1
More than three	1,463	10.4	14	3.9
<b>Total</b>	<b>14,091</b>	<b>100</b>	<b>357</b>	<b>100</b>

The total population of federally sentenced women represents about 2.5% of the federal offender population. Out of this small percentage, as the above table shows, close to 75% of the women are serving their first term of federal incarceration. A comparison of previous terms of incarceration for men and women aptly illustrate that women, in general, have less of a criminal history; for example, 10.4% of men (1,463) compared to 3.9% of women (14), are serving more than their third federal term. Women are also less likely to re-offend or breach parole (Shaw, 1994:15) and, therefore, pose little risk for recidivism or threat to society. In addition, 58% of women compared to 49.4% of males are serving a sentence of less than six years (Shaw, 1994:15).

The following table (5.2) gives the breakdown of the number and proportion of offenders serving life sentences as reported on March 31, 1997 by the Solicitor General of Canada. As the table shows, for the more serious offense of murder, there are 2,191 men serving a sentence compared to 71 women (SGC, 1997). Fifteen and a half percent of men and 19.9% of women in penitentiary were convicted of homicide.

**Table 5.2**

**Breakdown of Murder Sentences**

<b>Type of Murder</b>	<b>Male</b>	<b>% of all convictions</b>	<b>Female</b>	<b>% of all convictions</b>
First-degree	615	4.4	17	4.8
Second-degree	1,423	10.1	54	15.1
Capital	11	0.1	0	0.0
Non-capital	142	1.0	0	0.0
<b>Total</b>	<b>2,191</b>	<b>15.5</b>	<b>71</b>	<b>19.9</b>

From a quick glance based upon these percentages it would appear that more women are convicted of murder than men. However, when a closer look is taken at the actual numbers it becomes apparent that, although 19.9% of all convicted women are serving sentences for murder, this amounts to only 71 women in total, compared to 2,191 men. Of this total, only 17 women were convicted of first-degree murder, compared to 615 men.

A further caution needs to be made to underline the fact that, although there are women who commit murder just as do men, there is also the sad fact that many women who are charged with murder have killed a long-term abusive partner or relative (see Boritch, 1997; Comack, 1996(a), 1996(b); Noonan, 1993). A testament to this fact is the reality that the federal government is currently in the process of reviewing the cases of women convicted of murder in order to assess whether a reduction in sentence or even acquittal is warranted. There exists a vast amount of literature about women as victims of violence, the "Battered Woman Syndrome and Defense," and the often tragic results of domestic disputes. As previously mentioned, close to half of all federally sentenced women are first time offenders.

Federally sentenced women include those who are convicted of murder/manslaughter; however, Shaw (1991) reports that, in 38% of the cases, the victim was a husband, a common-law partner, or a relative and that the majority were committed in response to a history of abuse or in self defense. Only 5% of victims were strangers. Men, in contrast, are twice as likely as women to kill someone in the commission of another criminal act (Chunn and Gavigan, 1991). Women offenders are more concentrated in

such persistent offenses as prostitution, theft, and fraud (see Table 5.3), or in child-centered crimes such as abduction.

**Table 5.3**

**Persons Charged<sup>3</sup> by Gender,  
Selected Incidents, 1994**

	GENDER	
	MALES %	FEMALES %
Homicide	88	12
Attempted Murder	88	12
Assaults	85	15
Sexual Assaults	98	2
Other sexual offences	97	3
Abduction	62	38
Robbery	90	10
<b>Violent crime – Total</b>	<b>87</b>	<b>13</b>
Breaking and Entering	94	6
Motor Vehicle Theft	92	8
Fraud	70	30
Theft over \$1000	82	18
Theft \$1000 and under	67	33
<b>Property crime – Total</b>	<b>78</b>	<b>22</b>
Mischief	89	11
Arson	86	14
Prostitution	45	55
Offensive Weapons	93	7
<b>Criminal Code – Total</b>	<b>82</b>	<b>18</b>
Impaired Driving	90	10
Cocaine – Possession	82	18
Cocaine – Trafficking	84	16
Cannabis – Possession	90	10
Cannabis – Trafficking	85	15

The federally sentenced woman is likely to have been physically and/or sexually abused and/or be a victim of incest. This applies to 82% of non-aboriginal women and 90% of aboriginal women, according to statistics released to the press by the Canadian

<sup>3</sup> Represents all persons charged in Canada, Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics.

Association of Elizabeth Fry Societies during E-Fry Week (May 2-10, 1998). The typical female offender's educational level is minimal (generally below a grade 8 level). She most likely has not been employed for more than three years at a time (Elizabeth Fry Society, 1998). Also, over two-thirds of women imprisoned had children in their care prior to incarceration, most of them as single parents (Adelberg & Currie, 1987, 1993; Boritch, 1997; Faith, 1993; Leblanc, 1994). More than two-thirds have had a history of drug and/or alcohol abuse (Leblanc, 1994:11). As well, The Correctional Service of Canada (1997) reports that approximately 18.5% of incarcerated women are aboriginal, a figure that can be over 90% in some provinces.

Approximately 41% of women sentenced to a federal institution have no previous convictions and 50% have never been in a federal or provincial prison. However, more than 50% (159) of federal women are serving sentences over five years, 22% (70) between five and nine, 24% (75) are serving more than ten, and 19% (58) are serving life sentences (CSC, 1990:49-50; CSC, 1995, also see Table 5.4).

Statistic Canada's Correctional Service report of 1995 states that the median sentence of federal offenders is 44.0 months (three years, eight months); however, when the breakdown is by gender it appears that federal female inmates serve longer sentences than federal male inmates. Although sentence length among women has increased since the 1970's, this needs to be interpreted with caution and does not necessarily indicate an increase in women's criminality but rather a greater willingness among the public to report women and for officials to charge them (Arbour, 1996:202-203). The proportion of women serving extended sentences reflect to a large extent the changes in mandatory sentencing for murder and fewer women being released as a result (Arbour, 1996:203).

As noted above, this practice is under review with regards to women convicted of murder due to the high rates of abuse many women have suffered which may have been a contributing factor. Overall, women account for a very small percentage (13% - see table 5.3) of violent crime and this has remained relatively stable over several decades.

**Table 5.4**

**Sentence Length of Incarcerated  
Federally Sentenced Women**

<b>TERM</b>	<b>NON- ABORIGINAL</b>	<b>ABORIGINAL</b>	<b>TOTAL</b>
2 to 3 years less a day	50	7	57
3 to 4 years less a day	49	10	59
4 to 5 years less a day	30	7	37
5 to 6 years less a day	21	5	26
<b>SUBTOTAL (2 to 6 years less a day)</b>	<b>150</b>	<b>29</b>	<b>179</b>
6 to 7 years less a day	9	3	12
7 to 8 years less a day	15	5	20
8 to 9 years less a day	11	1	12
9 to 10 years less a day	12	2	14
Over to years	16	1	17
<b>SUBTOTAL (6 to 10 years plus)</b>	<b>63</b>	<b>12</b>	<b>75</b>
Life	47	11	58
<b>TOTAL</b>	<b>260</b>	<b>52</b>	<b>312</b>

Source: Correctional Service of Canada. (1995) Profile of Federally Sentenced Women  
Ottawa: Correctional Service of Canada.

Women constitute about 2.5% of all federal inmates and approximately 9% of provincial inmates (Statistics Canada, 1996:12). Despite the disparity in their numbers, there are similarities in the social profiles of male and female offenders, particularly in the areas of high unemployment, low education, unstable families, history of alcohol and substance abuse, as well as high levels of attempted suicide and depression (Loucks and

Zamble, 1994). Gender inequalities substantially deepen these social problems facing incarcerated women.

The average federal inmate population for 1994/95 was 13,948, a 4.7% increase from 1993/94. Federal admissions were counted at 8,849, a decrease of 4.4% from the 1993/94-year (Statistics Canada, 1996:11). Canada has 44 federal prisons for men of all security levels located throughout the country (2 high-maximum, 18 medium, 12 minimum and 12 community correctional centres). In 1995 the Prison for Women, which had a multi-level security range, had a capacity for 128 "normal" and 16 "special" offenders for a total of 144 inmate spaces (Statistics Canada, 1996:75). In addition, approximately one-half of the more than 300 federally sentenced women served their time under the Exchange of Services Agreement (Faith, 1993:138). Exchange of Services agreements allowed federally sentenced women to serve their time in provincial facilities. This resulted in provincially placed women being subjected to provincial standards for programs and services and thus ignoring the long-term inmates needs (Boritch, 1997:196). As well, there was a wide variety of inequity due to variance and level of services available in each province. This changed in 1995 with the implementation of the five Regional Facilities, no longer would these exchange agreements be needed. Despite this change, the major question remaining is whether five regional facilities can address the problem of geographic dislocation in one of the world's largest countries.

As the following table (5.5) shows, prior to the implementation of the five regional facilities, even though there was only one federal facility for women, through the Exchange of Services Agreements women were able to be housed in a variety of

institutions which placed them closer to home. However, as the table also shows, close to half were at the Prison for Women, reflecting the difficulties of continuity of exchange agreements between provinces and the need for women to be housed in facilities designed for women. Now that there are five "women-centered" facilities throughout Canada, the option available for women is to do their time in the facility in their region or, if of aboriginal descent, to go to the Healing Lodge. Is it possible that these facilities may have, in fact, created a situation of less choice for the incarceration of women?

**Table 5.5**

**Region and Institution of Incarcerated  
Federally Sentenced Women, 1995**

REGION	CURRENT INSTITUTION OF INCARCERATION	Non-Aboriginal	Aboriginal	TOTAL
ATLANTIC	Nfld. & Labrador Women's CC	3	0	3
	St. John Regional Corr'l Cent.	1	0	1
	<b>SUBTOTAL</b>	<b>4</b>	<b>0</b>	<b>4</b>
ONTARIO	Prison for Women (includes Isabel McNeil House and St. Thomas)	132	10	142
	<b>SUBTOTAL</b>	<b>132</b>	<b>10</b>	<b>142</b>
PACIFIC	Burnaby CC for Women	28	9	37
	<b>SUBTOTAL</b>	<b>28</b>	<b>9</b>	<b>37</b>
PRAIRIES	Bow River	10	1	11
	Calgary Remand Centre	4	0	4
	Edmonton Remand Centre	2	0	2
	Fort Saskatchewan	8	4	12
	Lethbridge	4	4	8
	Pine Grove	3	3	6
	Portage	2	5	7
	Regional Psychiatric Centre	9	25	34
	<b>SUBTOTAL</b>	<b>42</b>	<b>42</b>	<b>84</b>
QUEBEC	Maison Tanguay	55	0	55
	<b>SUBTOTAL</b>	<b>55</b>	<b>0</b>	<b>55</b>
	<b>TOTAL</b>	<b>261</b>	<b>61</b>	<b>322</b>

- Source: Correctional Service of Canada. (1995) Profile of Federally Sentenced Women.  
Ottawa: Correctional Service of Canada

The ideology behind the implementation of the five regional facilities was to provide a stepping stone to an evolving method of corrections for women that does not rely on incarceration. Prior to this long-term end, however, the CSC has established five regional facilities for incarcerated women in Canada as well as continuing to operate P4W in Kingston.

### **Summary**

The social profile of federally sentenced women is similar to those of their male counterparts, particularly in the criminogenic factors of high unemployment, low education, unstable families, histories of alcohol and substance abuse, and high levels of suicide and depression. Although there are similarities, there are also many differences that reflect the deeper social problems that incarcerated women have faced that confirm the need for feminist, women-centered corrections in order to address these issues. Women offenders have suffered high levels of victimization, both sexually and physically, at the hands of those familiar to them. In contrast to their male counterparts, women who commit acts of violence often do so in response to abuse or in self-defense and not in the commission of other criminal acts. Women offenders are concentrated in the persistent offenses of prostitution, theft, and fraud, as well as in those offences which are child-centered such as abduction. As well, women offenders have substantially less of a criminal history and pose less risk of recidivism and threat to society than do male offenders.

It is evident from the profile of incarcerated women that feminist, women-centered corrections are sorely needed to address the problems that incarcerated women face in society. In particular, the issues of empowerment, self-esteem, meaningful

choices, responsibility and support need to be addressed in programming for these women, as previously identified in the document *Creating Choices*. The question that is left is not what do the women require but, rather, are these needs and objectives being met in the new regional facilities? Before this question could be answered it was necessary to examine the women-centered philosophy of the new correctional policy towards women by analyzing the document, *Creating Choices*, produced by the Correctional Services of Canada.

## CHAPTER 6

### CREATING CHOICES

*Creating Choices, The report of the Task Force on Federally Sentenced Women* (1990), appears to be the driving force behind the current changes taking place in the philosophy of corrections for women. It remains to be seen whether the implementation and practices that are put in place will actually address the concerns that were identified in the report. As stated previously, the recommendations made by the Task Force, while being hailed as new and innovative, reiterate what a variety of previous reports dating to the early 1800's had already identified as major issues in female corrections. In the past, plans to build a new prison had been made and abandoned in 1956, 1965 and 1968 (Arbour, 1996:242). Federally imprisoned women in Canada have faced many unique challenges, such as the enormous size of the country with a relatively sparse population. There also exist significant cultural and linguistic differences among women which are important, particularly due to the disproportionate number of aboriginal women imprisoned. The plight of imprisoned women was further complicated by the split in jurisdiction between federal and provincial responsibilities and the existence of only one federal prison for women located in Kingston, Ontario (Shaw, 1991:iv).

The major difference between the 1990 *Creating Choices: The Report of the Task Force on Federally Sentenced Women* and previous reports is that *Creating Choices* explicitly adopts a women-centered approach with a readily identifiable feminist standpoint. This report states in unequivocal terms that the existing system of corrections for women is sexist, antiquated and totally inappropriate for women. The report is unapologetic in its total rejection of the existing system and firm in its stand that women

are unique in their own right. As well, the report argues that despite their small representation in the criminal justice system, women deserve and are entitled to a correctional system that is designed for them and, most appropriately, by them. The Task Force recognized that women as a group have needs that are not in keeping with the traditional form of corrections and also that women as a group are not homogenous and, accordingly, have specific needs. It is with this realization in mind that the Task Force developed a plan for change that would address the needs of women as a group and also provide for the specific needs of individual women.

To this end, the Task Force recommended that P4W be closed and that it be replaced by five regional facilities for women, all focusing on community-based programs. It was emphasized that, in order for this plan to be implemented, it was essential that the "Correctional Service of Canada must proceed with the view that action on all components of the Plan is required immediately" (CSC, 1990:155). The Task Force identified the need for corrections for women to be grounded in the principles of "empowerment, meaningful choices, respect, dignity, shared responsibility and a belief in supportive environments" (CSC, 1990:157). Attempting to balance the conflicting perspectives of individual and social responsibilities, the Report stated that this system of corrections is dependent upon the acceptance of responsibility by the women but, also, that the context of social inequalities and structures which define and lead to crime must be recognized and addressed. The Task Force concluded that: "The time for ACTION is NOW!" (CSC, 1990:157).

The Task Force identifies its principles for change as reflecting the core values of the Mission of the Correctional Service of Canada, values which emphasize individual

dignity and rights, potential for human growth and development, community involvement, and the sharing of ideas, knowledge, values and experiences (CSC, 1990:126). In addition, the Task Force claims that it is these values which point towards the longer-term goal.

This goal, shared by members of the Task Force, looks toward social change that will reduce inequities in the ways people are treated, and the crimes, which stem from these inequities. This goal looks toward a time when harm done to people will be repaired in a creative, supportive, non-incarcerative ways. This goal looks towards a future in which all communities will take responsibility for the causes of and responses to inequality and suffering. (CSC, 1990:126)

The Task Force, however, recognized that, in order for this goal to be achieved, many small steps would have to be taken in the interim. The Task Force recognized that the present attitudes of society and legislation are not conducive to realizing the above goal. Immediate action had to be taken in order to respond to today's needs of federally sentenced women and that, as choices were created, parallel legislative, political and attitudinal changes would enable a more flexible and humane correctional system. In order to implement these shifts, the Task Force came up with the previously mentioned five principles by which to guide the future of corrections for women. These five principles, as outlined in *Creating Choices* (CSC, 1990:128 - 135), are:

1. **Empowerment:** The idea is that increasing a woman's self-esteem will increase her ability to cope and plan for the future. It will enable her to take responsibility for her actions and to believe that she can make meaningful choices. Increasing self-esteem will augment the ability to take responsibility for actions both past and future. As well, the recognition of responsibility "for oneself promotes strength and good self-esteem, creating a constructive cycle of empowerment" (CSC, 1990:229). Generally, women in

our society and, more specifically, federally sentenced women have experienced inequities and reduced life choices that have left them with little self-esteem or belief in themselves and their ability to control their lives. "The attitudes, barriers and suffering which are the consequences of sexism and racism erode the self-esteem of women in general" (CSC, 1990:129). Federally sentenced women have been hit especially hard by sexism and racism: they are typically under-educated, unemployed, and victims of physical and/or sexual abuse. Furthermore, when these factors are combined with the feelings of alienation, guilt and anxiety brought about by the experience of the justice system, the result is a group of women with extremely low self-esteem. Increased self-esteem is advantageous to both the individual woman and to society at large. Research has demonstrated that violence against self and others is often linked to a perceived loss of control over life conditions (see Comack, 1996-b; MacLeod, 1987; Noonan, 1993; Wilson and Daly, 1995; Wilson, Johnson and Daly, 1996;).

**2. Meaningful and Responsible Choices:** Women need choices that relate to their needs, past experiences, abilities, culture and spirituality, and are also realistic with regards to their future possibilities. The provision of meaningful and responsible choices is necessary in order to provide women with a sense of control over their own lives in order to raise their self-esteem and sense of empowerment. The need to provide these options arises from the past history of the dependence of federally sentenced women upon men, social assistance, alcohol, and drugs. Historically, the federal sentencing of women has seen even the most mundane choices relating to their diet and health care taken away from them. Training, support programs and work options were extremely limited. The decision to allow women to serve their time in a provincial institution

resulted in their being closer to home and community but this shift created virtually no program options. The creation of real choices will enable women to use their time in prison to gain control over their lives and prepare for building a life and surviving upon release. "If opportunities for meaningful and responsible choices are provided, life inside prison will better mirror life outside, and so will provide a more realistic environment in which to foster self-sufficiency and responsibility" (CSC, 1990:131-132).

**3. Respect and Dignity:** In order for women to take responsibility for their future it is necessary that they gain self-respect and respect for others. People who are treated with respect and dignity are more likely to behave responsibly. It has been observed that behavior amongst prisoners is influenced by the way they are treated (CSC, 1990:132). Historically the prison system for women has been criticized due to its tendency to promote dependent behavior within its population and for contributing to the women's feelings of hopelessness and lack of control over their situations. The principle of dignity and respect requires an attempt to understand and act appropriately toward the different backgrounds of the women. Respect for the women requires respect for their culture, race, and spirituality.

**4. Supportive Environment:** In order to achieve a lifestyle that encourages self-esteem, empowerment, dignity and respect there is a need for a supportive environment in which to create these qualities. An atmosphere that can encourage these aspects is one that is positive and mutually supportive in a variety of environments including the physical, political, economic, emotional, and spiritual. This principle reflects the idea of "healthy communities" which is now being promoted by Health and Welfare Canada and internationally. This is a concept that stresses the interpersonal nature of the social

environment and the importance of the people involved in an environment. This principle stresses that what is important is equality of outcome and not the idea of "sameness" of treatment -- identical treatment does not necessarily mean equality. All aspects of the environment must become the basis for equality. Again, this principle is linked to those of empowerment, choice, respect and dignity.

**5. Shared Responsibility:** Federally sentenced women and women in general need to be supported by coordinated and comprehensive efforts that involve all elements of society. In other words a holistic approach to corrections is necessary. Currently, the responsibility for Federally sentenced women is the legal obligation of the Correctional Service of Canada. This allocation of responsibility has resulted in a narrow view of correctional responsibility. As a result, choices for women have been limited and women have been denied the opportunity to take responsibility for their own lives. It is necessary to integrate federally sentenced women within their communities in order to develop the support system and continuity of service that will enable women to take on the responsibility for their lives, their children, and other family members. Therefore, the responsibility for developing, implementing, monitoring and evaluating correctional options should be shared by all levels of government, business, voluntary sectors, and private sector groups. Volunteer and community groups are a vital aspect in the integration of women into their communities by serving as links for the women between the correctional systems and the community.

The Task Force believes that, through the active commitment to these five principles, the Correctional Service of Canada in conjunction with the community will be able to create the choices needed to enable a system of corrections that is close to a

community-based ideal, a system that is sensitive to the diversity of Canadian communities and the individuality of each federally sentenced woman. To aid in this endeavor the Task Force has recommended this guiding statement of the principles:

The Correctional Service of Canada with the support of communities has the responsibility to create the environment that empowers federally sentenced women to make meaningful and responsible choices in order that they may live with dignity and respect. (CSC, 1990:135, emphasis in original)

The immediate goal is to "close the Prison for Women once and for all and to bring federally sentenced women closer to their communities" (CSC, 1990:3). The long term goal is one which is preventive, "where incarceration will not be the intervention of choice, where harm done to victims, to federally sentenced women, to communities and to society will be repaired to the highest extent possible, and where Aboriginal people will have self-determination in their pursuit of justice" (CSC, 1990:2). It is believed that this goal can be achieved by reducing those inequities which limit choice. With the provision of meaningful choices for federally sentenced women not only will we contribute to reducing crime but also increase choices for all Canadians. According to *Creating Choices*, "in the process, our society will become a safer and more secure place" (CSC, 1990:2). This change is to be seen not only as a change to the justice system but to society as a whole.

How are these goals feminist? They are feminist because they have been created in response to the self-identified needs of federally sentenced women. These goals were identified as a result of interviews held with federally sentenced women which allowed the women to identify the issues. The Task Force actively took a women-centered approach.

The Task Force developed a women-centered approach. It encouraged the empowerment of women throughout its work, and gained much insight because it valued the experiences of women. Accordingly, most Task Force members were women. All of the researchers were women. And, interviews and consultations held with most federally sentenced women in prison and with a large number on community release were an essential part of our work. (CSC, 1990:2)

The mandate of the "Task Force was to review federal policies about sentenced women as women: a task that previously has not been undertaken in the numerous reports completed on the Prison for Women" (CSC, 1990:17). This mandate would, hopefully, eradicate the practice that has existed since the 1800's of simply adding women to the mix of a designed-for-males system of federal incarceration. This reflects one of Daly and Chesney-Lind's tenets of what distinguishes feminist work: "Women should be at the center of intellectual inquiry, not peripheral, invisible, or appendages to men" (1988:504). As well, the Task Force's mandate is feminist in nature as it is attempting "to develop knowledge that is women-centered: knowledge that is about and for women" (Linden: 1996:159), a recognized task of feminist scholarship. The Task Force actually uses the phrase "women-centered" to describe its approach.

### Summary

*Creating Choices, The Report of the Task Force on Federally Sentenced Women (1990)* has become, in essence, the blueprint for change in women's corrections. It is unique not so much in its recommendations but, rather, by its unequivocal stance that the existing system was sexist and totally inappropriate for women, and in its commitment to establishing a "women-centered" method of corrections. This system is one that envisions a "holistic" approach that involves not just the offenders but the community as well. It is meant to provide for women to be empowered, enabling them to make

meaningful and responsible choices in a supportive environment with respect and dignity. The report is also unique in that it does not propose a one-step solution but, instead, a series of steps that will eventually evolve into a form of corrections that does not rely on incarceration of federally sentenced women. The report envisions a future system of federal corrections for women in which incarceration will not be an alternative. The positive reception of the report by the Government most likely represents the fit of the report's ideals with the social attitudes of the time and popular movements, rather than a real recognition of the reports' intrinsic value. The prison system for women has long been recognized as antiquated and ineffective, but public scrutiny was not an issue in prior times. The Report also takes a feminist utopian view of a non-incarcerative future of corrections for women. In order for this utopian vision to take place, it relies upon the government also to embrace this vision of freedom. This presents a rather naïve expectation on the part of the Task Force in ignoring the track record of the penal system for implementing change and failing to concede that the Regional Facilities are perhaps a compromise solution to an otherwise immovable structure. The document *Creating Choices* and the implementation of its recommendations may have changed the appearance of incarceration but the question remains whether, despite protestations, it has resulted in a change to the basic structure of corrections for women. Confinement, the major issue, has yet to be changed.

The next chapter will describe the physical conditions of confinement in one regional facility and in P4W, and outline the daily routines and programming options available to the inmates. The question to ask is whether the official philosophy of

women's corrections, as outlined in *Creating Choices*, is actually being implemented in the establishment of the new institutions.

## **CHAPTER 7**

### **PRISON FOR WOMEN AND NOVA INSTITUTION: THE PRESENT DAY.**

In this section the information gathered from the tours and interviews at the Prison for Women in Kingston and Nova, the federal regional facility for women in Truro, are presented. This information is supplemented with the perspective of the Elizabeth Fry Society and comments made by members of the Society. At the Prison for Women approximately five hours were spent observing the daily routine and structure. This included informal interaction with both the inmates and staff. This observation, complemented by the semi-structured interviews, provides the basis for the information presented in this section. Interviewed at the Prison for Women were the Chief of Staff, two Correctional Officers (guards) and two Behavioural Science Technicians (BST). At the Nova Institution for Women the Warden, a Programs Officer and Team Leader of Management Services were interviewed. In addition a brief discussion was held with the Chaplain. A one hour guided tour was provided at Nova, however, inmate contact and interaction was not allowed.

Quotes from the interviews that were selected for presentation were those that most clearly stated the respondent's point of view regarding the nine identified inadequacies of the Prison for Women (as outlined on pages 37 - 39) and how these inadequacies had been addressed in a "women-centered" manner. The semi-structured format of the interview was designed to pinpoint these issues, but also to encourage the respondents to identify issues that they saw as key factors. I selected points from the respondents that shed light on the key questions I had identified as well as those that were identified through the interviews. The quotations selected were chosen mainly due to their clarity and relationship to the main

focus of the thesis as tools for aiding in determining whether a feminist practice had been implemented in the prison system for women.

### **Prison for Women (P4W)**

As previously noted, the Prison for Women opened in 1934 in Kingston, Ontario. Four years later the first call for its closure came and for the next sixty years this call was repeated numerous times and vigorously. However, it was not until April, 1994 that its closure was finally announced and the process of change finally began. The implementation of the five regional facilities was to have marked the end of the era of P4W. When asked to explain the impetus behind the new philosophy of corrections for federally sentenced women, the Chief of Staff replied:

Many audits, historically many audits had spoken to some issues such as the physical plant itself was not appropriate to meet a lot of needs. And because we had one federal penitentiary for women, many of the women were geographically removed from their families and loved ones. On the basis of those kinds of considerations, of those kinds of issues, a decision was made that, fine, what we need to do is close this facility and create these regional facilities. And there are now several of those facilities across our country. (Chief of Staff)

As in the past, however, despite acknowledgement of the inefficiency of the Prison for Women, this facility continues to house federally sentenced women from all of Canada who have been classified as unacceptable for the Regional Facilities. At the moment, then, the new facilities supplement rather than supplant P4W.

The Prison for Women is located in the midst of a diverse residential and business district of the city of Kingston. The homes are a blending of well-kept older and newer houses surrounded by lush greenery and overlooking a main waterway. The Prison for Women is situated directly across from the Kingston Penitentiary which, in turn overlooks a prestigious marina. The south side backs onto Lake Ontario. In contrast to

the Kingston Penitentiary, the Prison for Women does not have towers or armed guards monitoring the perimeters. It is, however, distinctly constructed of "prison" grey stone and presents an image of a formidable and immovable structure. If one is in any doubt about the purpose of this building, the words "Prison for Women" are engraved in the stone over the doorway and all visible windows are sturdily barred. Once inside the massive wooden front doors, daylight is replaced by fluorescent lighting in the small reception area through which visitors must present themselves to one of two personnel ensconced in a floor-to-ceiling booth. Once entrance is granted, a steel door is electronically opened to allow one through and then closes quickly upon one's heels.

Inside the majestic old building tales of its age are evident. Corridors of grey stone show evidence of dampness and one can almost hear the dripping of water as it seeps through the stone. The building is a maze of corridors and stairwells that finally emerge onto the two tiered cellblocks. Inside, the walls and bars have been painted a pale yellow, but rather than fostering a lightening of the atmosphere, the effect is somber. On the bars the paint is flaked and peeling, showing the effects of multiple applications over the years. The cellblocks are double-sided with a narrow corridor between the rows and are flanked on both ends with locked control doors.

There is no soundproofing in the building. The corridors echo with the pounding of footsteps, the banging of doors, and the clanging and hissing of the plumbing, and voices carry eerily from one level to the next. The noise comes from all directions and there is no escaping the cacophony of sounds.

P4W houses women who have been designated as "maximum-security".<sup>4</sup> As of the middle of May 1998, there were 21 women in residence at P4W—two women had been transferred that morning. The population of inmates is averaging about 20 to 25 women regularly (Guard 2). The guards who patrol the blocks do so in pairs. One guard always maintains visual contact with the other from the secured station outside the cellblock. The guards are uniformed in one of the three official uniforms of correctional officers; the slacks are blue, while the shirt may be either a solid blue, striped blue or a plain white, with the attached insignias, buttons and belts. The guards are equipped with transmitting devices as well as mace which is directly attached to their belt. The two guards interviewed stated that they do not carry weapons as they are in direct contact with the inmates. In fact, there are no weapons inside the Prison for Women at all, nor are there any panoptic towers as in the Kingston Penitentiary. This was P4W's recognition that women prisoners are not plagued with the unruly behaviour of their male counterparts. As one guard put it in response to question 6 (Appendix A) regarding the security level of the Prison for Women:

There are, that's open to debate in some way because the Prison for Women, even though a maximum is, was certainly run with a great deal of consideration for the needs of the women. And run differently than, for example, maximum security for male offenders. It was certainly not run as tight; for example, there are no towers here, there are no weapons, as opposed to what one would find in a male facility. (Guard 2)

The two guards who were interviewed have worked at P4W for a considerable time and went through the "riot" and the subsequent transition to the Regional Facilities

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<sup>4</sup> Previously women offenders were to be held in the Regional Treatment Centre within the walls of the Kingston Penitentiary (although it operates autonomously); the women offenders appealed this decision to the Court on the basis that it was unjust and unlawful, and the courts agreed. The Correctional Service of Canada was ordered to return the women back to the Prison for Women.

"along with the inmates." Both stated that they feel that the changes are for the better but "that there comes a time when a person [inmate] has to look to themselves for the blame and not the physical surroundings" (Guard 1).

The cellblocks are divided into three ranges: A, B and S.H.U. (Special Handling Unit). Each range has two levels: an upper and lower tier. The A range is for independent inmates, the B range is for those inmates who have special needs of some type, and the SHU is for those inmates who are deemed incapable of living independently and require specialized care and supervision. These are often women who have very poor coping skills and have often been diagnosed with some type of mental illness. "The women are placed in the least restrictive environment possible. Their needs are matched to the proper unit and this can be constantly changing based upon the inmate's level of daily coping" (BST1). For instance "there is a woman who usually lives in B range ... but also has times when she has very poor coping skills and coming back to SHU is one of the ones [coping skills] she uses rather because she's a slasher – she hasn't done that in a long time, but if you notice her neck and arms – she's done really, really well" (BST1). With regards to those women in the SHU, the BST2 stated that:

Some of these women are in need of a lot of structure. They still go to school, still go to work, still go to those kinds of things, but they just kind of need more structure. They're not quite as independent and everything as on B range, and A range is a completely independent unit. But everybody has a different function; everybody is treated as an individual. (BST2)

There are three levels of inmate classification in the SHU. Level one is lock-in, and it is ordered for the whole range. Level two has supervised out-time – to attend programs. Level three is out until night except for inmate counts, or when there is only one officer

in the unit. All inmates are locked in their cells over lunch as there is only one officer on duty during that time and the unit is not considered secure.

Meals are prepared by staff and served in a cafeteria. There are no facilities for inmates to prepare their own meals or snacks. The personal touch of the inmates can be seen in the artwork painted on the walls and around cells in an attempt to personalize their surroundings. Despite this artwork, however, the cells are surprisingly bereft of personal touches and look cold and impersonal. The cells are small and consist of a stainless steel toilet, sink, and single bed frame with a mattress. The entrance to the cell is through a barred door set in a barred wall that encompasses a full wall of the cell. The cells in the segregation unit have had the bars replaced with heavy metal treadplate to further dissuade prisoners from disrupting or attacking others (for example, spitting or throwing body waste at guards).

Prison life is organized around three eight hour shifts: 7:00 a.m. – 3:00 p.m.; 3:00 p.m. – 11:00 p.m.; and 11:00 p.m. to 7:00 a.m. Formal counts take place regularly throughout the day, at which time all inmates are locked into their cells until the count is completed and all inmates are accounted for. After the 7:00 a.m. count, inmates are taken in three shifts to the eating area for breakfast. From 8:30 until 11:00 they engage in work programs, school or counseling sessions. If they do not partake in a program they remain either in their cells or in an activity area within their range. At 11:00 there is another count and then lunch. Programming continues from 1:00 p.m. until 4:00, at which time another formal count is taken. The evening meal is between 4:15 and 6:00 p.m. The yard opens at 6:00 p.m. depending upon the weather and the inmates are rotated through the

yard in shifts. There is again a count at 9:00 p.m. and the final count and lockup at 11:00 p.m. (BST1).

During the day the inmates are expected to work or participate in programs. Work programs are limited to tasks associated with the institution such as kitchen, laundry, and cleaning. There is a limited number of vocational and educational programs – this reflects little change since the implementation of the "new philosophy." "The major change is that most of the programming in the prison is now geared toward providing services that address the issues the women may have such as drug and alcohol, sexual and physical abuse, anger management and coping skills" (BST1) and most importantly (from the institution's point of view) the criminogenic factors of the inmate. In response to the questions regarding how programming has changed with the new philosophy, the Chief of Staff replied:

The sense again, I think, is doing everything that one can to deliver treatment programs and services that are respectful and in accordance with not only issues such as gender, but also culturally sensitive and so on and we are required by law, in CCRA to deliver programs that have sensitivity and in fact are respectful of these issues. This is important because a lot of our treatment interventions with this population of offenders are quite different than what would be delivered in male facilities. It only makes sense. That many of the experiences that women live, would have in our society, let's take prisons right out of it, but women in our community are in many ways different from men, men are in many ways different from women. This is not surprising to us. And so clearly that speaks to having specialized programs and services available. (Chief of Staff)

It is upon such a conceptual model that the regional facilities were based as developed in the *Creating Choices* document recommended by the 1990 Task Force. There was considerable similarity, in this respect, between the official ideology of the

new policy as reflected in CSC documents and in the presentation of the staff member.

According to the Chief of Staff, the new model draws upon the idea that:

Much of, and perhaps all of, the difficulties experienced by women in the prison for women and the, as it were, unlawful behaviours that were happening in this facility were the result of the structure itself. It was believed that smaller facilities which emphasized a more perhaps dynamic interactive and, I think, one of the catch phrases was a sort of kinder, gentler approach to corrections with female offenders, would result in a decrease in the number of these behaviours that were seen in the population within the prison for women. (Chief of Staff)

In the Chief of Staff's view, however, this new approach was not appropriate for all women confined in P4W. Some of the problematic behaviour of inmates could be attributed to the necessity to meet security requirements for the highest risk inmate in one institution. Problems were caused, the Chief of Staff argued, by factors additional to the structure of P4W:

There seems to be another couple of variables that produce somewhat of an interaction in that approach. Many, many of the women who lived here were medium and a matter of fact a fair number were minimum-security level. Now the regional facilities seem to respond to the needs of these women very well, in a sense that these women are more autonomous, less, as it were, anti-social, many desire and require a pretty heavy level of intervention treatment programs and so on. Removing the women from this kind of environment [P4W] because, if you think about it, with three levels of security in an institution one needs to run the institution to meet the needs of the highest level of security. And so in many ways this place functioned as a maximum-security institution. Prison for Women, of course, was a higher level of security than many of these other women required. (Chief of Staff)

Nevertheless, to say that the single level of high security was the only issue would be grossly over-simplifying the problems. There were also disturbances and problems within the Regional Facilities upon the transfer of women from P4W. Nova Institution

experienced a serious difficulty in adjustment and this was publicly magnified by the media. There were also numerous problems in the Edmonton Institute as well as the others, although less publicly. As a result, Commissioner Ingstrup<sup>5</sup> ruled that no woman designated as maximum-security would go to the regional facilities. This meant that those women designated as maximum-security needed additional facilities. The result has been that men's penitentiaries across the country have had spaces allocated for the placement of these women: Springhill in Nova Scotia for the Atlantic Region; The Prison for Women for the Ontario Region<sup>6</sup>; Joliet in Quebec has a women's unit, as does Saskatchewan Penitentiary in the Western Region; and, in the Pacific Region, there is an agreement between the Province and the Federal Government so that the Burnaby Correctional Centre can be used.

The Elizabeth Fry Society is one agency that adamantly refutes the Correctional Service of Canada's classification system of women and the necessity of removing women to higher security units and regional psychiatric centres. As a member of the Elizabeth Fry Society of Mainland Nova Scotia stated: "This system of classification goes entirely against what the *Creating Choices* document envisioned." The Canadian Association of Elizabeth Fry Societies (CAEFS), which was initially on the implementation team for the regional facilities, withdrew in the initial phase of implementation as they did not believe that the Task Force recommendations were being followed. One of the most contentious issues has been the site selections, particularly Nova's, a matter that will be discussed more fully below.

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<sup>5</sup> Ole Ingstrup returned as Commissioner after the Arbour Inquiry which ultimately resulted in the resignation of the then commissioner Mr. Edwards.

<sup>6</sup> P4W also serves for women who have been unmanageable at these male facilities and for women who are serving long sentences.

With regard to the Prison for Women site, which was under decommission at the time Ingstrup ordered some women to be relocated to maximum-security facilities, the decision was initially made to house women in the Regional Treatment Centre within the walls of the Kingston Penitentiary for men.<sup>7</sup> This decision was immediately challenged by the women concerned. Using legal representation they petitioned the court on the basis that this move violated their rights under the Charter. The courts agreed and the Correctional Service of Canada was ordered to return the women to P4W.<sup>8</sup> In light of the Court's ruling, the Prison for Women was to remain open until other facilities specifically for maximum-security women were made available.<sup>9</sup> It is anticipated that it will take several years to develop these facilities. In response to the question of whether the prison system for women was adequate with this new system, the Chief of Staff responded:

Look, we have made a commitment to the public and to many special interest groups and agencies, organizations. We're going to close this facility. But we have now discovered that we were unable to admit and meet the needs of all this population in these regional facilities; therefore, we need to develop programs and services and build facilities that are going to meet these needs. ... That means for us that the Prison for Women will remain open for about two and a half to three years. I think on the basis of their [Correctional Service of Canada] logic, their planning, that two of these specialized facilities will be created, one will be sort of for this half of the country, as it were from Ontario east. I believe the other facility would be from west of Ontario. ... Two sites in some way you could argue is a bit of overkill; however, keeping in mind their commitment to try and to deliver these services in an area geographically that is relatively close to the women's place of origin makes some sense. (Chief of Staff)

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<sup>7</sup> The Regional Treatment Centre, although housed in the Kingston Penitentiary, operates autonomously. The executive of the Centre reports directly to the deputy commissioner of Ontario, as do the other wardens from the facilities.

<sup>8</sup> In fact, this was a reaffirmation of an earlier decision of the court which had returned women to the P4W who had been transferred to the Centre in Kingston Penitentiary after the 1994 "riot".

<sup>9</sup> The Minister of the Solicitor General is to make an announcement regarding these arrangements. The anticipated date of the announcement was the end of May, 1998, and has not to date happened.

This raises, once again, the issue of the geographic dislocation of incarcerated women. Their removal from their families, friends and home communities has been a controversial issue that has been identified since before the 1925 building of P4W. This is an issue than many believe was not adequately dealt with in the provision for the five regional facilities. In the Chief of Staff's response to the question of how to address geographic dislocation adequately, it is clear that this is a very contentious issue that perhaps has no answer.

I don't know how you would deal with that and it's prohibitive not only because of the cost but also [because of the] relatively small number of federally sentenced women, women offenders that we have in this country. [It] just does not make sense to create ten facilities that would house anywhere from, like, three to twenty women. It just would, happens to be very silly. (Chief of staff)

One of the potential ironies that would result from the provision of new facilities, both for high and low-risk inmates, is the potential for sentencing additional women to terms of imprisonment. When asked if there had been an increase in the number of women receiving federal sentences, the Chief of Staff's response was in the affirmative and he predicted additional future growth with the addition of the specialized units for maximum risk offenders.

I expect that these two sites will be created and I believe that these sites will eventually become filled. I'm not being, I hope I'm not being pessimistic or negative here but if one looks at a history of forensic or correctional prison work you'll find some things keep kind of rearing their head again and again and again. It's seems to be almost like a Field of Dreams, I believe, "if you build it they will come" and in many ways, that same kind of thinking seems to apply to prisons. If you build more prisons, more people become sentenced. If you also look at it ... from a sociological perspective, it seems to me that a number of options are available as contrasting to penitentiary terms. There are a variety of diversional approaches, a number of diversional

approaches have occurred; however, when other facilities are available the magistrates are aware of this and the magistrates, and I'm not saying it's even a conscious thing, ... but it seems to me that there is a sense that OK we have more facilities, we will have more offenders. And I think that this has happened in enough countries that there seems to be in fact be some truth to this. (Chief of Staff)

In the Chief of Staff's view, not only would the provision of new facilities increase the number of women sentenced to terms in prison, the regional location of the facilities would increase the likelihood of terms of federal incarceration.

Judges are very mindful of this and it's very clear to me that when we have one federal penitentiary for women -- do you mean to tell me that a judge in Newfoundland who would see a case before him or her would say: "Now, I know Sally has broken the law here and been found guilty and I have to think about a sentence. Is this a bad enough sentence that I guess if it was a guy maybe I'd give three years but if I give three years to Sally we got to move her from St. Johns to Kingston, Ontario. Her husband and kids are still here or whatever, so maybe I'll give her two years less a day plus three years probation or something." Is that a possibility? I think it's a very strong possibility. And I think now because [we have] a lot more of these sites we'll see some difference in sentencing. (Chief of Staff)

In short, whereas judges were less likely in the past to impose federal time, with regional facilities sentencing patterns are more likely to reflect longer terms and be more consistent with the sentences for men. It is also possible that increased incarceration may reflect the perception that violent crime is on the rise (Ayed, 1998). Respondents were asked whether they believed the rate of violent crime was increasing; The Chief of Staff replied:

There is a bit of a blip statistically, and much of this is found in our young offenders' population. But, if the trend would, in fact, continue, who knows if it will. But if it does continue, these young offenders after several years are going to be adults and should they still participate in these thing we can expect, I think, a bit of an increase in female crime. (Chief of Staff)

This led to a question of whether females are becoming more violent. One of the guards stated that, for the most part, she feels the women have become more desperate and perhaps they now react more physically than in the past. "Maybe its because we [P4W] are housing maximum only now, but I see the women as being much more needy and frustrated than before, perhaps more physical but not violent, more to themselves, self-destructive" (Guard 1). The Chief of Staff's response was mixed as to whether they actually were more violent or whether there had been a change in acceptable behaviour for women.

There is probably a host of possible explanations. We see violent crime across the board decreasing, and of course the reason for this is that the decrease is through the guys, because guys account for about 99% of violent crime. This is well documented, and then we see this other little sort of blimp here, we're saying well gosh what's happening to these people? And perhaps it has something to do with ... some change in what is acceptable behaviour on the part of women in society. (Chief of Staff)

With regards to the approaches that are taken in treatment, there are two main themes that are the major focus: personal distress and criminogenic factors. Personal distress refers to anxiety, depression, and thoughts of self-injury or suicidal behaviour often correlated or connected with past histories. The Chief of Staff said that this was the "inside stuff, that's the kind of stuff that perhaps we might see if we were practicing in the community."

Criminogenic factors are those issues that relate more directly to the commission of crime. They are the attributes or personal characteristics of the offender that can be worked on and, when changed, affect the likelihood of recidivism. These criminogenic factors are what are seen as the major emphasis of programming within the prison environment. "It is only by working through these criminogenic needs that the path to

recovery and reintegration can take place" (BST1). This is seen as especially important in the maximum-security environment in order to enable women in a maximum institution to move down to a regional facility.

Those criminogenic factors are the ones that have resulted in the high security level of these women so, therefore, it seems that if we can have some impact there we can assist the women in moving from a maximum security environment to a regional facility. That is our overall treatment approach within this facility and I think that's pretty darn defensible. (Chief of Staff)

The Chief of Staff provided an example to illustrate the danger of not addressing the criminogenic factors. An inmate who had shot five people went for therapy, and through a number of sessions, the therapist discovered that he suffered very low self-esteem, had acne as a kid, did not have any dates, was ostracized by his peers, had a speech impediment, did not do well in school, and coped only marginally in the community, until such a time that he actually shot some people. If all the therapist does is look at self-esteem, rather than search for the criminogenic factors, then all that is achieved by the time treatment is over "is a criminal who feels better about himself ... and I have assisted in the release of someone that could go out and shoot his sixth victim, as it were, but now feels much better about himself!" (Chief of Staff). The main point of psychological treatment, he claimed was to have the inmate accept responsibility for her behaviour.

What we need to do is hammer, hammer, hammer away at those things. Now often those things are not well received by the offender population. I mean, if you think about it many people who have a disturbance to their personality organization they don't like to be challenged, they don't like to have things pointed out to them but, no wait, – You are here because you committed a crime, you are not with us because when you were five years old your second cousin molested you. On a personal level I am very sorry that that happened and we can deal with some of the issues of that, and I'm pleased to do that, but I'm not going to assist you in excuse-making in saying that for the rest of your life you

cannot be responsible, you cannot be accountable for your actions. And my rationale is that it's a god awful thing that many of the women in this country have been traumatized terribly, terribly, terribly. But millions and millions of Canadian women do not go out and shoot people, rob banks and those kinds of things. I strongly believe that is something [accountability for our behaviour] that we need to instill in folks we work with, and I believe that if they start believing in themselves that way also leads to therapeutic change because they now know that they are the agent of change, as opposed to "oh well." (Chief of Staff)

In addition to the question of what treatment is appropriate, there is the second issue of who should deliver it. It could be argued that a feminist style of corrections should entail women in positions of authority and as therapists. In the course of answering the question of being a male, as well as a male with authority, in a female prison, The Chief of Staff responded that he felt that in some ways his being a male may be therapeutic to the women concerned. He believed that he can be seen as a male in the role of nurturing and caring and, thereby, show that men in our society do not always have to be abusive and mean spirited, as may have been the inmates' prior experiences. The guards and the Behavioral Science Technicians (BST), all women, also commented that they felt that it was important for the women (inmates) to have men as role models that they could look up to. They felt that could be achieved in a safe environment such as the prison. As one of the veteran guards put it:

Compared to where many of these women have come from, this place is a haven. A lot of the women have been knocked down by men, but not all, some are here all on their own. Reality check, the world is made up of men and women, we can't pretend men don't exist. But here they can learn that men can sometimes also help pick up the pieces. Kind of sad to think that prison is where you may meet the nice people. (Guard 1)

The Prison for Women has been maintained as a maximum-security unit in Ontario for women deemed at high risk of escape, violence, or self-inflicted violence. It is largely a

typical penitentiary and the new, feminist philosophy of corrections has not been applied to any great extent. Before discussing the main features of corrections at Kingston, in light of the main question about the possibility of a feminist praxis in prison, the next section will describe the Nova Institution for Women in Truro, Nova Scotia, one of the new regional facilities opened with explicit focus on the new, feminist penology.

### **Nova Institution for Women**

Interviewed at the Nova Institution for Women were representatives from three classifications. These were the Warden, a Programs Officer, and the Team Leader of Management Services. In addition, a conversation was held with the Chaplain. Nova opened in December 1995 with three women as inmates. As of June, 1998, it had an inmate population of 31 women of minimum and medium security classification. At this time there were three women in Springhill (a male institution) who required maximum security,<sup>10</sup> a figure which has been as high as seven. These women had been, in the words of the staff, "unable to function at Nova" and were undergoing a period of assessment at Springhill. One woman was to be in Springhill for a month and then be returned to Nova. If still "unable to function," she would then be transferred to P4W.

The problem of women being unable to function at Nova has been an issue since its opening. The opening of Nova in 1995 was marred at the outset with what was publicly declared a "riot" and depicted as such in the media. The Warden, states that part of the problem was that "the women from P4W were not ready for Nova." She clarifies this by referring to problems of adjustment to a new philosophy of corrections that totally "goes

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<sup>10</sup> Currently there is no provision for women requiring maximum security to be housed in the regional facilities. The only women's facility in Canada that is equipped for maximum security is P4W in Kingston. As a result, some women are housed in units in male prisons within the provinces until it is determined

against the grain of those who had been institutionalized to life at P4W." Some of the inmates had brought with them the "prisoners code" from P4W: do not rat, do not talk to staff, form cliques, and so on. She believes that a lot of this has "worked itself out, mainly due to the open style of communication and community living that Nova instills." A policy of Nova is an "open door" to the Warden. This was demonstrated in action when an inmate came to the warden upon receipt of some upsetting personal news. There were no formal processes to be followed, just a knock on her door and access was granted. The fact that the inmate felt comfortable coming to the warden speaks highly of the Warden's style and character.

Nova is set in a residential area; in fact, across the street from the front doors are single family dwellings. The land upon which Nova was built was acquired from local aboriginal peoples. The hospital is situated within minutes of the institution, as is the downtown core of Truro. The only indication that one is entering a federal correctional facility is the sign, which states the function of the buildings, a declaration which is reinforced by the high wire fence with double razor wire that surrounds the institution.<sup>11</sup> The fence is not readily observable from the road due to the placement of the main building structure. The main building does not conform to the traditional stereotype of what a prison looks like. There are no towers, stone walls or uniformed, armed guards monitoring the perimeter. There are, however, cameras stationed about the perimeter of the institution. As well, there is a control post at the entrance to the institution that monitors the activities,

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whether they can function in a medium facility or go to Kingston P4W. The Minister of the Solicitor General is to make an announcement on what facilities are to be made available for maximum-security women.

<sup>11</sup> The fence enclosing the institution was not in the original plans for the facility but was added later. The consensus is that the fence allows for greater freedom of movement among the inmates. Efrayim of Halifax reports that, prior to the fence, the women had to be escorted on the grounds. The Warden reports that, rather than being a barrier to the women, the fence has actually improved unwanted behaviours such as "running" (or

comings and goings of the institution and which is referred to as the "centre hub" or, more formally, as the "Perimeter Detection Centre." All persons entering or leaving the institution must be signed in and out and proceed through a metal detector.

The atmosphere and appearance of the institution is more similar to a vocational centre than a prison once the initial entry is achieved. The décor emphasizes light and space and, at first glance, does not appear to be restrictive. However, as one proceeds throughout the institution, keys are needed to gain access to parts of the structure such as the administration area, stairwells, activity rooms, and gym. For the most part, however, the institution appears to have an open door policy within its enclosed and monitored perimeter.

One of the most striking things about Nova is that there are no uniformed personnel. What makes this most striking is that the general atmosphere of the institution would make uniforms seem out of place. One does not feel that uniforms would belong in this setting. The reality that this is a federal medium-minimum security prison is not overtly observable from the physical appearance of either the actual structure itself or the staff. Inmates and staff work in close contact and correctional personnel can be identified only by their name-tags. The institution is quiet and peaceful with the muted humming of conversation and people at work.

The philosophy of Nova is based upon that outlined in *Creating Choices* and the Warden "thinks it is working." She says that some aspects of the outline are:

Probably very idealistic – can't keep all women here as there are different needs, disabilities, hygiene, some women need more support. The programming here is quite different from P4W: treat people as individuals, treat everyone with dignity and respect.

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leaving without permission) as they know the fence is there and therefore will seek other means to address their issues.

Staff are trained to listen. There are males on staff in certain areas. They can't frisk or work near segregation. Some case management officers are male. Some women have been better able to speak with males, and males on staff can provide a good role model. (Warden)

Upon admission the women are first placed in the Reception/Enhanced Security Unit that consists of four cells, one of which is monitored by a camera. When the women arrive they are placed in one of the cells and must go through approximately eight training modules which initiate them to the "do's and don'ts" of the institution, including financial budgeting and cooking -- basically what is expected of the inmate. After they have completed the modules they are then placed in the appropriate cottage.

The women are housed in one of four cottages that accommodate seven women each. There is a 9:00 p.m. curfew, by which time the women must be in their cottage and an 11:00 p.m. curfew in the cottage which requires that the women be in their bedrooms. The women have their own private bedroom and share a common living room and kitchen.<sup>12</sup> Each woman is allocated \$3.75 per day for groceries<sup>13</sup> and it is up to the women to decide how to allocate their monies,<sup>14</sup> either as a group or individually. It has been noted by staff that those inmates who had addiction problems "tend to spend more money on sugar items and coffee in the beginning, but that is also part of the learning experience for the women" (Team Leader). A dietician works with the women to teach them how to better allocate their money; for example, to buy bulk items such as flour and sugar, learn how to bake their own sweets, and also to ensure a proper nutritional balance.

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<sup>12</sup> The institution was intended to hold a maximum of 28 women. At the time of the research it held 31. Double bunking had already begun at an institution less than 3 years old. An additional home is being built for special-needs women -- women who require less independent living conditions than are currently available.

<sup>13</sup> Food Services operate a small grocery store from which the women shop. The prices are comparable to community grocery stores. Grocery days are Tuesday and Friday. A regional dietician provides proper training in nutrition and budgeting to the women.

In addition to the four living cottages, there is also a Visiting Cottage. This can accommodate a woman and her visitors "who are identified as valuable and positive personal friends and family" (CSC, 1990:144). This is particularly important for women who have children, as it allows for children to spend time with their mothers in an environment conducive to relationship maintenance.

There is a chaplain on site and the religious area is set up to accommodate both traditional and aboriginal religious ceremonies. There is a healing circle formation upon the floor of the room and a dream catcher placed by an aboriginal elder from the community. However, the chaplain<sup>15</sup> reported that she finds the aboriginal inmates do not appear to find the worshipping accommodations comfortable and prefer to hold their ceremonies out of doors or in another area of the prison. Participation of the local aboriginal groups has been actively encouraged and is well received by both the inmates and the community. According to a member of the Elizabeth Fry Society of the Nova Scotia Mainland, "elders in the community have responded promptly to requests and the prison has been [reported to be] very accommodating in meeting the needs of native inmates." <sup>16</sup>

Health services on-site include a full-time nurse<sup>17</sup> and contract doctors who adhere to a regular schedule. The women can book appointments to see the doctor and, in cases of an emergency, the hospital is located nearby.

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<sup>14</sup> A review was recently completed following complaints by the inmates that the allowance was insufficient. It was determined the amount was sufficient.

<sup>15</sup> The current Chaplain is a temporary one until the position is filled permanently. Recently the Chaplain left for another post, after charges of inappropriate sexual conduct against her were unfounded. The investigation found that the situation was most likely a personal boundary issue between the Chaplain and the women involved. E Fry of Halifax has reported that this issue has caused tension amongst the inmates who were divided in their support of the chaplain, as well as the issue of homophobia amongst the inmates and staff.

<sup>16</sup> An inmate reports she requested a "sweat" and was in preparation the next day.

<sup>17</sup> At the time of the visit (June 2, 1998) the nurse was only part-time but this was not expected to continue.

The days are structured but do include "free" time for the women to follow their own pursuits. A correctional officer makes rounds every hour. Generally the women either work during the day or attend school. Work consists of cleaning, gardening, and other duties essential to the institution. In addition to their work or school programs they are also responsible for the maintenance of their living unit and their own meal preparation. Nova offers vocational type programs in horticulture (two days a week), a Canine Program (every day for a few hours) and a Microsoft works course that teaches computer familiarity. Correctional institutions no longer provide the traditional vocational school programs that were once associated with prison such as hairdressing for women and metal works for men.

The focus is now on providing core programs based on what causes their criminal behaviour and how to reduce risk to get back into criminal behaviour. The goal is to get them back into the community as quickly as possible, to build their personal skills. The emphasis is upon skill building.  
(Programs Officer)

In response to the question about concerns raised that the implementation of five regional facilities would result in less programming for the women than the larger central P4W as money now had to be allocated five ways, the Warden responded that "they didn't have the money they have now. These places were created and the funding was created with it"(Warden). Programming is now, in fact, better funded, at least that is the official view.

Each inmate undergoes an educational level assessment upon admission and, if the requirement is present, she can take Adult Basic Education (ABE) and General Education Diploma (GED) courses. Nova has hired an instructor through the community college to provide these services. Much of the programming consists of counseling for substance abuse, survivors of abuse and trauma, learning conflict resolution and cognitive skills (see

Appendix D). The de-emphasis on vocational training justified by a concentration upon the criminogenic rehabilitative needs of the inmates may actually reflect a means of cost cutting. The Programs Officer, says that the emphasis of the programs in the regional facilities is:

Based on what causes their criminal behaviour, the level of risk based on criminogenic behaviour and the goal is to reduce risk and to get them back into the community. The goal is to get back into [the] community as quickly as possible, to build their personal skills. This is a harder place than P4W. They have more responsibility. It is very easy to become institutionalized in a setting as P4W. The smallness here is a help somewhat, more of an individual. Rules based on the fact that people have to understand how to live together. Employability is not an issue, nor does it appear to be an issue. (Programs Officer)

The Correctional Program Strategy for Federally Sentenced Women (CSC, 1994), however, states that women's criminal involvement is linked to their generally inferior socio-economic status and that most are lacking in marketable skills (1994:6). More specifically it states that:

Vocational programs for women offenders must provide an adequate amount, intensity and quality of training in work that is relevant to the job market and should focus on jobs which have the potential to earn the woman a salary that will lead to economic independence. (1994:6)

Other than ABE and GED, the only other educational programs offered at Nova are the horticultural and the canine program. These are not programs for which there appear to be a great calling in the general population. While there is definitely merit in the proposal that the canine program brings out the nurturing side of the offender and teaches responsibility, it most likely cannot be said that its most valuable contribution to the women is its marketability. This does not mean that the program does not have merit but, rather, it should not be billed as vocational. Furthermore, it seems that the correctional service is no

longer going to offer vocational training, at least not in Nova. When asked if this was a reflection of the choice of Truro as a site, the answer was that:

Agencies such as Elizabeth Fry wanted the institution in Halifax; that was their argument. We are not in the business of education. We are corrections, we work on the criminogenic factors, teach them skills. We do not do traditional (male or female) vocational training as in the past. Nova is located within 100 kilometers of a major city, which was the requirement. (Programs Officer)

The document, *Creating Choices*, does not state "within 100 kilometers of a major city" but that "these facilities will be located in or near Halifax, Nova Scotia, Montreal, Quebec, central/south western Ontario, Edmonton, and the lower mainland of British Columbia" (CSC, 1990:138). It was rather the Correctional Service of Canada which gave the 100 kilometer radius criteria to the location selection committee. It is possible that the selection of Truro represented a political compromise. At the same time Truro was announced as a location for the Atlantic Regional Facility the Nova Scotia Teacher College (located in Truro) was in the processing of closing. Thus we had the exchange of one type of institution for another. As well, another factor could be that the citizens of Truro were not able to lobby as effectively against a prison in their neighbourhood as their Halifax neighbours did, or perhaps, Truro welcomed the facility and the jobs it would create. Given that there is not an easily accessible public transit system that operates between Halifax and Truro, that Truro has limited educational and health facilities and few community support programs, and that employment opportunities are few, it is understandable that women's groups, especially the Elizabeth Fry Society, were not pleased with the selection of Truro. One area in which this can be noted reports a member from Efray Mainland Nova Scotia is that "for women who are eligible for (UTA's) [Unescorted Temporary Absences] there is virtually no place for them to go." It is

unlikely that they can arrange transportation, there is no local transit and, though the town centre is close, it is still quite a walking distance. As well, a 25 kilometer restriction radius denies the inmates a visit to surrounding communities where better services are available.

In the area of recreational and leisure activities, Nova does very well. The women have a variety of programs available and the facilities are very well equipped, both in and out of doors.

A major downfall for Nova is the limited amount of volunteer involvement. This is a rather contentious issue between the correctional service and women's groups. The main issue centres on funding. Many of the volunteer agencies do not have the funding to be able to provide the programs and support systems that the correctional service has allocated to them. In fact, a major component of the new philosophy for corrections for women is that of community involvement, especially in the release stage for the female offender. However, if the volunteer groups are unable to provide these services, then these services are not provided. A member of the Elizabeth Fry Society of Mainland Nova Scotia has reported that "this has resulted in women in Nova being ineligible for early release programs, as they can not effectively put into place a pre-release plan." One major reason for ineligibility is that they have no place to go. This was also alluded to by the Warden who, in response to the question about release programs in the community, stated:

The big thing is they leave from here to the community and don't have the supports. Private groups need to become more involved. There is a need for a buddy system of which Elizabeth Fry could be a coordinator. A "shadowing" program for those on parole – where a volunteer comes into the institution [before the inmate is paroled] so that they become familiar with one another, their needs, etc. (Warden)

The issue of funding, however, is not considered a correctional service responsibility. Women's groups, such as the Elizabeth Fry Society, reply that they cannot financially handle programs without some type of Government assistance. For the Nova Scotia chapter this is a major downfall. As one member states they have not "been able to run any type of one-to-one or pre-release planning programs for the last five years due to lack of funding and an inability to maintain a volunteer base that allows us to make that kind of a commitment to an inmate." They argue that in order to have these types of programs there has to be a financial commitment as well. The end result is that the inmate is the one who feels the adverse effect of the lack of programs in the community. The implementation of the regional facilities has made this situation even more desperate. The location of Truro also contributes to the difficulty of providing this type of assistance, due to transportation issues, a small volunteer base in the community, and lack of facilities for post-release programming and support. The result is that most of the women have no choice but to return to their prior living arrangement. For most, this was a contributing factor to their involvement in criminal activity in the first place. At this time there are no halfway houses for women in the Atlantic Provinces. As a former inmate articulates:

Then it came time for me to go before the National Parole Board for a possible day parole. I got it because I earned it, and I was released to a male halfway house. This is where the required support for a women's healing journey abruptly ends. There is no women centred halfway house in the Atlantic Region. There never has been. ... Personal safety became a major issue for me. I did not and do not feel I am in a safe environment. I feel I have been placed in circumstances beyond my control, therefore I feel threatened by my home atmosphere. (VanVeelen,1998:3).

The Elizabeth Fry Society of Mainland Nova Scotia is in the process of setting up a "Halfway House Project" committee to address this concern (Efry Newsletter, October, 1998). Some male halfway houses will accept women, but this is not an acceptable

alternative for the majority of women who have issues and needs that are vastly different from those of the male occupants for whom these houses are operated. For many women who are dealing with issue of past trauma and abuse, cohabiting with male offenders is not a viable option. The blueprint in Creating Choices states that:

There will be halfway houses for women across Canada located according to regional needs. At a minimum, they will be located in Halifax, Newfoundland, [and other localities]. These halfway houses will vary in size depending upon the size of the community and the size of the local Regional Women's Facility. They will be run by community based agencies through contracts with Correctional Service of Canada. Halfway houses will be available for women on any form of community release. Some will allow women to live with their children. (CSC, 1990:152)

In response to the question of whether the building of the regional facilities has led to an increase in the number of women sentenced to federal time, the warden said that, "Judges perhaps know there are programs and they now have a place to send you where previously many got provincial sentences. So -- definitely possible" (Warden). The fact that the facility is now over capacity after less than three years in operation is another indication that judges have been influenced by the availability of a regional facility with a woman-centered philosophy and programs. One argument of the Elizabeth Fry Society was that the facilities were being built with an increased capacity. A member from mainland Nova Scotia reports that: "Historically the Atlantic region has had approximately ten to thirteen federally incarcerated women. With the building of Nova and its increased capacity one of our arguments [Elizabeth Fry Society] was that this was not an advancement for women but rather a mechanism for increasing incarceration of women." Needless to say with the now over-capacity occupancy at Nova, this prophecy has been fulfilled.

On a recent CPAC program, which looked into Canadian Prisons, the Deputy Warden of Nova, responded to a question regarding increased sentencing for women to the effect that "if you build it you fill it." This trend has been noted since the beginning of the penitentiary phase worldwide. In fact, as the following discussion of the findings of this chapter will emphasize, despite the new, women-centered philosophy, the new regional facilities appear to be perpetuating a paternalistic and hegemonic system of corrections for women.

## CHAPTER 8

### DISCUSSION AND CONCLUSION

Overall, neither Nova nor P4W are operating as envisioned in *Creating Choices*. Neither Nova nor P4W are adequate for the women they are serving. Nova is already over capacity and cannot provide easy access to auxiliary services. P4W barely provides decent physical living conditions and, yet, is seen as better than the alternative for women who cannot be accommodated in the regional facilities, and the women themselves have voiced this preference! Closing P4W has not been achievable in practice, partly because of a lack of alternatives and partly due to the insistence on maintaining an outdated classification system for incarcerated women.

Both Nova and P4W are over-secure. Nova is at least a medium security institution, yet the majority of the women are classified as needing minimum security. The environment, while more esthetically appealing than P4W, is still one of physical control. P4W, in contrast, is obviously confining and definitely a place of incarceration. However, the women defined as needing maximum security are defined more so because of their inability to function appropriately at a Regional Facility largely because of the problem of community living and their emotional or psychological disabilities, rather than because they present a danger to others.

Providing programs regarding abuse and dependency is definitely a positive change in both P4W and Nova, although it has apparently been done at the expense of other valuable programming. The programming issue has not advanced significantly at either Nova or P4W. In fact, there were more educational and vocational opportunities for women at P4W than currently exist at Nova. The ability of the community to provide

educational or vocational services to inmates is severely limited in Truro, but does not appear to be a priority of the institution in any case. The goal identified in *Creating Choices* and the *Correctional Services Programming Guidebook* of providing marketable skills for women does not appear to be either implemented or even capable of being implemented. The responsibilities given the women and the programs that are offered focus upon what society views as traditional feminine interests: maintaining a household and bringing out the nurturing and caring side of women. The criminogenic factors of the inmate appear to have been reduced to the woman's ability to conform to traditional gender-roles.

The criminogenic factors of an offender are derived from a wide variety of areas that are specific to the offender's personality and life situation, clustered into seven target domains: employment, marital/family, associates/social interaction, substance abuse, community functioning, personal/emotional orientation, and attitude (Blanchette, 1997:21-22). Each target domain is classified to reflect the degree of need along a four-point continuum which ranges from not-applicable, no need for improvement, some need for improvement to significant need for improvement (Blanchette, 1997:22). Both the Prison for Women and the Nova Institution for Women have downplayed the importance of many of these criminogenic factors and have focused their energies upon the ideal of "responsibility" on the part of the inmate. The issues of self-esteem, empowerment, dignity and respect, and community integration appear to have been delegated as side-effects of the "choice" that an inmate makes rather than as issues to be focused upon in program delivery. The issues dealt with in this way remove from correctional services any responsibility or

recognition of the outside factors, such as poverty, which may seriously limit "responsible choice."

The issue of geographic dislocation and isolation from families and communities has definitely not been adequately addressed. This is a major downfall in the Atlantic region where women from Newfoundland, New Brunswick and Prince Edward Island are sent to Nova Scotia. Given that the economic status of many of these women and their families is very poor to begin with, locating a prison in Nova Scotia has not contributed to visitation. The women's sense of isolation and fear of family breakdown has not lessened.

The needs of Francophone and aboriginal women are still not met adequately within the Regional Facilities. Within the Atlantic Provinces women of Acadian heritage would find a lack of French language programs, although this problem has not arisen as of yet. Aboriginal women are given the option of going to Nova or to the Aboriginal Healing Lodge in Manitoba. While definite strides are being taken to address aboriginal concerns and there is some support from the local aboriginal bands, the style of corrections at Nova is primarily aimed at non-aboriginal women. Aboriginal women are faced with a choice of being closer to home physically or closer to home spiritually.

Responsibility for federally sentenced women has been narrowed with the implementation of the Regional Facilities. The pressure upon the provinces to provide exchange of service contracts has been lessened with the availability of space in regional facilities and the rationalization that these facilities are providing "women-centered" corrections. The belief that these facilities are providing federally sentenced women with better services and a hope for the future has led to a further rationalization for the provinces becoming less involved in providing services.

The community integration envisioned in *Creating Choices* has not taken place at Nova, and the emphasis has changed at P4W due to the classification of the women there. For Nova the major issue appears to be lack of availability of facilities, money, and volunteers. As well, compounding the problem is the fact that, for most of these women, Truro is not close to their home-towns, and therefore, integration into this community does not address their issues of dislocation.

At both Nova and P4W, while rehabilitation does appear as the main official goal of the incarceration period, the reality still remains that removal from the public is not beneficial to either the female offender or the public. For the women involved incarceration has proven to be an insurmountable barrier to family and community relations. Counseling for past abuse and criminogenic factors, while definitely helpful, does not enable them to change their economic situation within society upon release. The same situation that precipitated their involvement in crime for the most part is waiting for them upon release, unchanged and unrehabilitated.

The following table (8.1) summarizes the goals that were set out in the *Creating Choices* document and whether they have been or appear to be adequately addressed. As can be seen, officially the Prison for Women and Nova believe that they are meeting the goals as outlined, with the exception being that the Correctional Service of Canada is currently addressing the inadequacies of the physical facilities of P4W. There was recognition from both P4W and Nova that geography is very difficult to overcome and that five regional facilities are not going to eliminate this continuing concern; however, they also believe that this is the best that can be done. As well, it is obvious that the Elizabeth Fry Society does not believe than any of the *Creating Choices* document recommendations

have been addressed adequately, and they have publicly declared this with their early withdrawal from the implementation process during the site selection phase. My assessment agrees with the opinion of the Elizabeth Fry Society that currently the Correctional Service of Canada has not meet the objectives as outlined in the document *Creating Choices*.

**Table 8.1**

**Achievement of Goals set out in *Creating Choices***

	<b>Prison for Women</b>	<b>Nova Institute</b>	<b>Assessment</b>
<b>Prison for Women is Adequate</b>	No - in process of designing "maximum" security	Yes	P4W - No Nova - No
<b>Prisons are over-secure</b>	No	No	P4W- Yes Nova - Yes
<b>Programming is poor</b>	No	No	P4W - Yes Nova - Yes
<b>Women are isolated from their families</b>	Yes	Yes	P4W-Yes Nova- Yes
<b>Needs of Aboriginal and Francophone Women are met</b>	Yes	Yes	P4W - No Nova - No
<b>Responsibility of Federal Women Broadened</b>	Yes	Yes	P4W- No Nova - No
<b>Integrate women into the community</b>	Yes	Yes	P4W - No Nova -No
<b>Incarceration promotes rehabilitation</b>	Yes	Yes	P4W - No Nova - No

**Conclusion**

Imprisoned women represent a remarkably marginalized group. They are mainly undereducated, unemployed or marginally employed, and disproportionately aboriginal. Economically and socially these women are so poorly positioned in society that the options

available to them are extremely limited; their drift into criminal activity is often due to desperation for survival for themselves and their children. The fact that over two-thirds of federally sentenced women were solely responsible for the children in their care prior to incarceration reflects the ideology that childbearing and rearing is defined as a woman's role in Canadian society. As well, the majority of imprisoned women have suffered physical and/or sexual abuse during their lives.

The document *Creating Choices* has been a major step forward in the recognition of the unique situation of female offenders and their placement in the structure of Canadian society. It brought to the forefront the need to recognize the realities of the lives of the women concerned and a recognition that "corrections" for women needed to be "women-centered" in order to be effective. The argument is not that these women are innocent of crimes but, rather, that the reasons for their offending are different from those of their male counterparts, and therefore the solutions must also be different. In a more radical sense the reality is that the criminal justice system needs to recognize the gendered reality of Canadian society and bring to the forefront the imbalance of power that exists between men and women. To punish and pathologize women for failing to meet socially constructed goals which the structure of society does not allow them to achieve in an "acceptable" manner should not be attributed to individual women but to society at large.

The recommendation to establish Regional Facilities was intended to address some of the blatant disregard that had historically defined the treatment of federally sentenced women. The intent was to enable women to be closer to their home communities, to integrate the women back into their communities, and to establish and maintain family ties. Programming was supposed to address issues that were unique to the women's situation.

addressing the issues of physical and sexual abuse and substance abuse, as well as give the women an opportunity to gain educational or vocational skills that were marketable. These services were to be delivered in an environment that was as close to mirroring a "home" as possible. The goal was to be able to provide the women with empowerment, meaningful and responsible choices, respect and dignity, a supportive environment and shared responsibility.

The reality is that we now have regional facilities that function as prisons that look better, are esthetically pleasing to the eye, and have a mandate that claim to be women-oriented and encourages "choices." The fact remains, however, that it is still a system within which we imprison women under the guise of rehabilitation and then release them into the very same conditions under which they were unable to cope in the beginning. There is still a huge void of supportive networks on the outside where they count the most. Support on the inside is inconsequential when making a living on the outside is impossible. There is no doubt that we have improved the physical prison conditions for women but those are not the conditions that matter the most. In many cases, the change to regional facilities compounded the major problems that already existed. Providing a "nicer", "women-centered" means of imprisonment is still reflecting the view of the society that women need to be protected and socialized to find their feminine side within a controlled environment. Unfortunately, the regional facilities represent paternalism at its finest: enclosing women in pretty boxes that reinforce women's domesticity and dependence upon men. As such, they serve to reinforce the larger, more structural phenomenon of patriarchy.

The answer is to look for ways to allow these women to become part of the communities in which they live, not to widen the net of social control over women by providing more facilities into which to sentence them. Removal from society of those who cannot cope does not foster coping abilities upon release. The environment is false. Removal of these women from society for the purposes of imprisonment is only changing the venue of their imprisonment. These women are prisoners in every sense of the word. They are prisoners of a society which has engineered the conditions under which they live; when unable to meet society's expectations, they are further imprisoned in an institution of that society which further alienates and disassociates them from the very society which is "rehabilitating" them. The fact that for many of these women the only way they have to access resources for counseling, educational upgrading, lifeskills and spiritual healing is in prison is a sad testimonial to the state of our society.

Adding "natural light" and treatment programs for the individual will not cure the ills of the society which cause the women's behaviour. The change needs to come from outside the prison walls.

To talk about health in the prison is to talk about abolishing the prison, but we know that prison is the product of a certain society (and one of its constituent elements), that it can do no more than reflect that society, reproduce it in miniature. So there will be no abolition of the prison until the society that gives rise to it is abolished. (Gosselin, 1982:194)

Canada appears to be more punitive with regard to imprisonment of women in that it has the highest proportion of female inmates and the lowest male-to-female inmate ratio of Western and European countries. The United States imprisons three times as many women as Canada; however, given that the American population is ten times that of Canada's, this is a rather striking disparity (Boritch, 1997:183). Canada's continuing high

rate of imprisonment needs to be addressed. Canada's prisoner count stands at about 109 per 100,000 population, in contrast to the average rate of about 65 per 100,000 for more than twenty member states as of 1 February 1988 provided by the Council of Europe (McMahon, 1992: 218-219).

It is essential that we recognize the contrast between what the stated purpose of the regional facilities is and what they actually accomplish. The reality is that, while the facilities are a definite improvement over what previously existed, they are not the solution, but rather, represent a continuation of the marginalization of women offenders within society, albeit in "softer" surroundings. There is now the ability to incarcerate more women federally, thus separating and breaking more family ties and community relations opposed to the intended function of promoting these ties. There are neither the appropriate funds nor the ability to provide the necessary services in the community that has been chosen in the Atlantic region for the regional facility nor has the Correctional Service of Canada supplied the means for provision of those services. As a result, women sentenced to the regional facility are being denied early release due to lack of resources upon release. Their inability to gain access to marketable skills while imprisoned marginalizes them more economically upon release. The distance from their home communities further alienates family ties and promotes feelings of helplessness, depression, and the conception of "bad parenting."

Given that the security level of the majority of federally incarcerated women is medium-minimum and that the danger exists more to themselves than to others, it would appear to be more economical, beneficial and humane to provide more diversional or alternative methods of corrections than the mass warehousing of women in prisons. A

system that has proven inefficient, ineffective and more punitive than necessary since the original use of incarceration as a means of dealing with women offenders in the early 1800's is being perpetuated. The stated intention of the Correctional Service of Canada to provide a "women-centered" philosophy of corrections for women should include recognizing the inability of the use of incarceration, no matter how prettily wrapped, to address the issues unique to women offenders. As it stands now, it appears that the response of the Correctional Service has been to address difficulties within the regional facilities in the traditional way of responding with containing force and to revert to the "old" system of classification that was designed and implemented for the male offending population. It is essential that the focus of the *Creating Choices* blueprint not be used as the foundation for building a series of fortresses in which to contain "unruly" women, but that its intent as a stepping stone to alternative forms of corrections remain the focus and goal of the future of corrections for women.

The history of women and crime is spotted with opportunities most of which have been missed. We hope that history will not dictate our future. (Bonta and Wallace-Capretta, 1995: 292)

## **CHAPTER 9**

### **LIMITATIONS AND IMPLICATIONS FOR FURTHER RESEARCH**

Some of the limitations of this research are that it is, of necessity, only looking at the Nova Institution with regards to the closure of P4W. If there were fewer constraints of time and money, I would like to have been able to look at all five of the new regional facilities and the Aboriginal Healing Lodge. I feel that this type of analysis is very important as the 1990 Task Force for Change that initiated the pending closure of P4W recommended a whole solution that relies on the functioning of these institutions as a unit. If just one institution fails to provide or follow the intended changes then the whole system of federal incarceration of women also fails. Unfortunately, at this time, I am unable to carry out a project of this magnitude. As well, if I were able to conduct this research on the national scale that I would like, I would be able to provide the anonymity necessary for requesting the participation of inmates. If I were better able to ensure confidentiality, the results would be of more value to inmates, the public, and the institutions.

Given the newness of this philosophy of corrections for women, this is a study that should be completed. This is a strength that applies to my current research, even though it is on a much smaller scale. It is a beginning of the assessment of the impact of the change. Another strength is that this research is not being conducted as a commissioned work. It is independent of both the government and private sector pressures. Although I am conducting this research as part of the requirements for a master's degree, I have freely chosen the topic out of concern for and genuine interest in the plight of women. Also, it is an area that I strongly believe in and do plan to continue

on in the future. To this end, I am dedicated to ensuring that what I do now is carried out in a professional and proper manner.

It is also important to note that women's patterns of offending have remained fairly stable since the 1800's and that the increases seen are in the traditionally women-centered crime area of property offenses -- a direct relationship to the feminization of poverty (Boritch, 1997; Faith, 1993, Adelberg, 1987, 1993).

Another project for future research that I believe would be beneficial to all parties involved would be a study that would look at the incarceration of women from a life-course perspective. The research generated by this type of emphasis would provide a significant understanding of exactly what influences are involved in the processes of becoming an offender, the incarceration experience, release, recidivism, the impact of women's criminality upon others and the impact of significant others upon women's criminality. It would definitely be an innovative break from the existing research, which tends to individualize criminal behaviour.

A further area of research that needs to be considered is the impact the implementation of the five regional facilities has had upon the sentencing pattern of women in conflict with the law. A quick glance at the numbers of women incarcerated federally in the Atlantic region alone at this time (currently the Nova institution is over capacity and has begun double bunking women, with construction of an additional house under way) indicates that judges are considering the viability of a federal sentence over other options more so than before these facilities were available.

Given the newness of the facilities it will be some time before their effectiveness with respect to recidivism can be evaluated; however, this is a timely study that is

definitely needed and should be addressed as soon as possible in order to prevent the ambivalence of another century to go by before action is taken to correct inefficient and inappropriate methods of corrections for women. As we move forward into the next millenium I hope that the emphasis and impetus of providing alternative and innovative methods of corrections for women in conflict with the law becomes a signature for the future and not a page from history. Society must not become complacent with a system that is better than what existed, but must work to ensure that we develop a system that is best, not just better.

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**Appendix A**  
**Interview Guide**

1. What is your position in this facility? Could you briefly explain what this position entails on a general daily basis? How long have you held this position?
2. How long have you been involved in corrections for women? (other positions held; other agencies, etc.).
3. Explain the new philosophy of corrections for Federally Sentenced Women – what the emphasis is, the goals, how is it different than the previous system.
4. What have been some of the major changes and their implications?
  - a) upon staff
  - b) upon the women
  - c) upon the community and agencies
5. Do you believe these changes are working and that they are an improvement over the "old" system?
6. Is the Prison system for women adequate with this new system? Why or why not – explain.
7. In the past the Prison for Women has been defined as over-secure (maximum regardless of the woman's classification). How has this issue been addressed? Is it possible to house multi-level securities within an open environment? Explain.
8. Programming for women in prison has historically been identified as woefully inadequate and lacking when compared to the options for male prisoners. Lack of funding and low numbers of women have been identified as major barriers to providing services for women. With the decentralization of P4W into regional facilities how has this issue been addressed? (Probe – lower numbers = less? Funding \$ - how is it distributed?)
9. Funding is an issue that is often mentioned regarding corrections for women. A major argument against the Regional Facilities has been that five facilities would mean less in services as compared to one federal facility. How has this been addressed?
10. In *Creating Choices* programming is one area that is identified as needing to be able to meet the demands of the women and to help them upon reintegration into the community. How is this being addressed? In what ways does programming facilitate community integration?

11. If there is a lack of programming options in the facility's community, how can this integration take place? Particularly if the programming available is not suitable to the offender?
12. What have been the changes in the area of programs offered? (education, counseling etc.). What was the reasoning behind these changes?
13. How can the issue of geographic dislocation be addressed adequately with one facility for the Atlantic Provinces?  
(Is it even possible?) Given the economical status of the majority of female inmates, how can one facility per region effectively promote community and family integration and maintenance of ties?

What is the policy regarding children in prison? How has this been put into practice?  
(Probe re: age limits, sentence time, daycare, other agencies involved, etc)

14. How are the needs of aboriginal women being met, especially those who choose not to go to the Healing Lodge?

In the Atlantic region there is an Acadian population. How are the needs of these French-speaking women met?

15. An area of contentious debate has been the locations that were chosen for the regional centres; specifically, Nova has come under fire from many advocacy groups as not meeting the requirements as set out in *Creating Choices*. How does Truro meet the guidelines and was it a good choice?
16. There were some problems with Nova when the institution first opened ("riot") what were the causes and how have these been addressed? (Probe: was the institution not ready, programs not working, staff capable, etc., women resentful, etc.).
17. Since the implementation of the Regional Facilities, has there been an increase in sentencing of women to federal time?  
Are the regional facilities contributing to the increased incarceration of women?  
(Probe for reasons why this may be so or not)
18. Do you believe this system of "women centered" corrections is working?  
Why or why not?

19. Incarceration and rehabilitation in the past for federally sentenced women have not been compatible under the old system. Do you believe that the regional facilities will be able to achieve this ideal while still maintaining the punitive practice of removal of offenders from society into a prison environment?
20. Do women need to be imprisoned? Is there a viable alternative to incarceration?
21. What do you see in the future for corrections for women?

**Appendix B**  
**Letter to Participants**

Thank-you for taking this time to meet with me. I am currently in a Masters program at Acadia University with the sociology department. The research that I am working on is concerned mainly with the transition of the Kingston Prison for Women to the five regional facilities, specifically the Nova site. I am interested in the changes this move entailed, its implementation and effects. My main concern is how these changes have affected the women themselves and the practice and philosophy of corrections for women. The information collected will be incorporated into a thesis.

Participant's identities will not be used and all possible measures will be taken to ensure confidentiality of the respondents. However I cannot guarantee that others who are aware of your unique situation will not be able to identify you. If you are uncomfortable with this or any part of the procedure you are free to refrain from answering any question or to withdraw from the study at any time.

With your consent I would like to tape the interview. The tapes will be destroyed after transcription and the notes will also be destroyed after completion of the project. The thesis will be available to the public after completion in the Library at Acadia University in Wolfville, Nova Scotia.

You are in no way obligated to participate in this research project and may withdraw from this project at any time.

Thank-you for your cooperation.

Sincerely,

Jeanne Greenough  
Student Researcher  
Acadia University  
(902) 585-1493

### **Consent Form**

**I understand the intention of the research project as explained to me and outlined in the attached letter. I am aware that the information will be incorporated into a Master's Thesis and available in the library at Acadia University, Wolfville, NS.**

**I realize that I may withdraw from this project at any time.**

-----  
**Signature of Participant**

-----  
**Date**

## **Appendix C**

### **15 Government reports which have identified serious limitations in the Prison for Women**

- 1938 Royal Commission to Investigate the Penal System of Canada (Archambault)**
- 1947 Report of General R.B. Gibson Regarding the Penitentiary System in Canada**
- 1956 Report of a Committee Appointed to Inquire into the Principles and Procedures Followed in the Remission Service of the Department of Justice (Fauteux)**
- 1969 Report of the Canadian Committee on Corrections (Ouimet)**
- 1970 Royal Commission on the Status of Women**
- 1977 National Advisory Committee on the Female Offender (Clarke)**
- 1977 Sub-Committee on the Penitentiary System in Canada (MacGuigan)**
- 1978 National Planning Committee on the Female Offender (Needham)**
- 1978 Joint Committee to Study the Alternatives for Housing of the Federal Female Offender (Chinnery)**
- 1979 Progress Report on the Federal Female Offender Program**
- 1978 Canadian Advisory Council on the Status of Women**
- 1981 Canadian Human Rights Commission**
- 1988 Canadian Bar Association**
- 1988 Standing Committee on Justice and Solicitor General on its Review of Sentencing, Conditional Release and Related Aspects of Corrections (Daubney)**
- 1990 Task Force Report on Federally Sentenced Women**

**Appendix D**  
**Program Schedule for Nova (updated February 20, 1998)**

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Leisure Activities 1:30-4:30pm	Conflict Resolution 9:00-11:30am	Cog Skills 9:00-11:00am	Educational Programming 9:00-11:30am	Cog Skills 9:00-11:00am	Educational Programming 9:00-11:30am	Leisure Activities 1:30-4:30pm
Classroom Open 1:30-4:30pm	Educational Programming 9:00-11:30am	Educational Programming 9:00-11:30am	Cog Skills 9:00-11:00am	Educational Programming 9:00-11:30am	Cog Skills 9:00-11:00am	Classroom Open 1:30-4:00pm
Leisure Activities 6:00-9:00pm	Canine Program Group 4 11:45am-12:45pm	Canine Program Group 4 11:45 am - 12:45pm	Substance Abuse 9:00-11:30am	Canine Program Group 4 11:45 am - 12:45pm	Substance Abuse 9:00-11:30am	Wellness Program 1:30-3:30pm
Classroom Open 6:00pm-8:30pm	Conflict Resolution 1:00- 4:00pm	Canine Program Group 3 1:00-2:00pm	Canine Program Group 4 11:45 am - 12:45pm	Canine Program Group 3 1:00-2:00pm	Canine Program Group 4 11:45am - 12:45pm	Arts and Crafts Enhanced Unit 1:30pm-3:30pm
Survivors of Trauma and Abuse 6:30- 8:30pm	Canine Program Group 3 1:00-2:00pm	Educational Programming 1:30-3:30pm	Canine Program Group 3 1:00-2:00pm	Educational Programming 1:30-3:30pm	Canine Program Group 3 1:00-2:00pm	Art Expression 1:30-4:00pm
	Educational Programming 1:30-3:30pm	Education and Awareness Abuse and Trauma 1:30-3:30pm	Educational Programming 1:30-3:30pm	Education and Awareness Abuse and Trauma 1:30-3:30pm	Educational Programming 1:30-3:30pm	Leisure Activities 6:00-9:00pm
	Leisure Activities-EU 3:00 -4:30pm	Library Open 2:00-4:30pm	Community Integration 1:30-4:00pm	Library Open 2:00-4:30pm	Community Integration 1:30-4:00pm	Classroom Open 6:00-8:30pm
	Native Sisterhood 6:00-8:30pm	Leisure Activities-EU 3:00-4:30pm	Library Open 2:00-4:30pm	Leisure Activities-EU 3:00-4:30pm	Library Open 2:00-4:30pm	
	Leisure Activities 6:30-9:00pm	Hair Dressing 6:00-9:00pm	Leisure Activities-EU 3:00-4:30pm	Leisure Activities 6:30-9:00pm	Leisure Activities-EU 3:00-4:30pm	
	Classroom Open 6:30-1:30pm	Horticulture Program 6:00-9:00pm	Leisure Activities 6:30-9:00pm	Horticulture Program 6:00-9:00pm	Library Open 6:30-8:00pm	
	Arts and Crafts 6:30-8:30pm	Leisure Activities 6:30-9:00pm	Recovery Group 6:30-7:30pm	Wellness Program 6:30-8:00	Leisure Activities 6:30-9:00pm	
	Wellness Program 6:30-8:00pm	Art Expression 6:30-9:00pm	Classroom Open 6:30-8:30pm	Art Expression-EU 6:30-7:30pm	Arts and Crafts 6:30-8:30pm	
		Classroom Open 6:30-8:30pm	Wellness Program 6:30-8:00pm	Classroom Open 6:30-8:30pm	Classroom Open 6:30-8:30pm	
		Wellness Program 6:30-8:00pm			Wellness Program 6:30-8:00pm	

## **Appendix E**

### **Glossary**

**Behavioural Science Technician (BST)** - This term is used to refer to those who provide case management, counseling, and program delivery in P4W. Using the tenets outlined in *Creating Choices*, the relationships are to be based upon role modeling, trust and support. It appears to be the equivalent to a Primary Worker in the Regional Facilities.

**Correctional Officer** - This term has replaced "guard" to denote the professionalization of the position and to acknowledge their role in "correcting" or rehabilitating offenders. The change in names is representative of a historical shift in correctional philosophy informed by a medical or rehabilitative model in provincial and federal corrections. This is the term formally used by the Correctional Service of Canada and the Union of Solicitor General Employees.

**Corrections** - This term refers to the agencies that take custody of an offender after conviction and are entrusted with his/her treatment and control.

**Crime** - A violation of societal rules of behaviour as interpreted and expressed by a criminal legal code created by people holding social and political power. Individuals who violate these rules are subject to sanctions by state authority, social stigma and loss of status.

**Culture of Poverty** - The view that people in the lower classes in society form a separate culture with its own values and norms that are in conflict with conventional society; the culture is self-maintaining and ongoing.

**Diversion** - A non-criminal alternative to trial that allows an individual to avoid formal processing as long as certain conditions are met. Usually the alternatives involve counseling, job training, and educational opportunities.

**Federally Sentenced Women (FSW)** - This term refers to women who have been sentenced to terms of imprisonment of two years or more, and are under the jurisdiction of federal correctional authorities.

**Front-line Worker** - A contemporary term referring to the role and position of correctional officers who work directly with inmates on a daily basis. These individuals work in the living units and directly supervise personal and private activities of inmates, such as showering and sleeping. Front-line workers are also most likely to be in positions to deal with inmate crises.

**Guard** - This term is used to describe individuals whose primary responsibilities were to guard prisoners or inmates. The term has been replaced with the term "correctional officer" to denote the professionalization of the position.

**Inmate** - The *Corrections and Conditional Release Act* (1992) defines "inmate" as:

- a) a person who is in a penitentiary pursuant to
  - i) a sentence, committal or transfer to penitentiary, or
  - ii) a condition imposed by the National Parole Board in connection with day parole or statutory release, or
- b) a person who, having been sentenced, committed or transferred to penitentiary,
  - i) is temporarily outside penitentiary by reason of a temporary absence or work release authorized under this Act, or
  - ii) is temporarily outside penitentiary for reason other than a temporary absence, work release, parole or statutory release, but is under direction or supervision of a staff member or a person authorized by the Service.

**Jailor/Gaoler** - This term was generally used in the past to describe the role of the keepers of the prison.

**Mandatory sentence** - Some crimes carry a statutory requirement that a certain penalty shall be set and carried out in all cases on conviction for a specified offense or series of offenses.

**Masculinity hypothesis** - The view that women who commit crimes have biological and psychological traits similar to those of men.

**Offender** - The *Corrections and Conditional Release Act* (1992) defines "offender" as:

- a) an inmate, or
- b) a person who, having been sentenced, committed or transferred to penitentiary, is outside penitentiary
  - i) by reason of parole or statutory release
  - ii) pursuant to an agreement referred to in subsection 81(1), or
  - iii) pursuant to a court order

The term often refers to individuals who have been convicted of criminal offences, but are not necessarily incarcerated or serving a sentence. It suggests a continued pattern of criminality, when many federally sentenced women have only committed one offence. It is the only term commonly used to refer to all persons under sentence, whether in prison or not.

**Paternalism:** A subset of patriarchy that manifest itself in the practice of institutions by justifying actions/policies as "in the best interest of the women"; however, this style reflects an ideology of the inferior status of women. Paternalism, because it reinforces women's dependence upon men, reinforces the larger, more structural phenomena of patriarchy.

**Patriarchy:** A social structure within which males dominate females. The manner of governing this structure relies on male dominance over females and is reflected in the

manner of the policies and practices of the society's institutions. These practices reinforce the inferior status of women. Patriarchy is maintained by a variety of practices and ideologies of which paternalism may be said represent the "soft" side of reinforcing women's inferior status.

**Prisoner** - This term is generally synonymous with "inmate", and refers to individuals currently in custody. The term "prisoner" unerringly reflects the involuntary nature of imprisonment; however, it is rarely used by correctional personnel to refer to people in prison.

**Penitentiary** - This term is defined in the *Corrections and Conditional Release Act (1992)* and essentially refers to a carceral facility under federal jurisdiction, in which men and women serve sentences greater than two years.

**Primary Worker** - The term describes a staffing position within the regional facilities which involves static and dynamic security, case management and program delivery consistent with the correctional philosophy as outlined in *Creating Choices*. Relationships are based on trust, support, and role modeling. The union and others have expressed concerns with the term because of its analogy with childcare workers, which is perceived to be unprofessional and infantilizing.

**Prison** - This term is commonly used to refer to all institutions where offenders are detained under the authority of the criminal law or of provincial penal law. When used in contrast to a penitentiary, the prison refers to a provincial detention facility. Many such provincial institutions are called "correctional centres" or "correctional institutions."

**Regional Facilities** - This term is first used in the *Creating Choices - Report of the Task Force on Federally Sentenced Women*. It is used to describe the new regional prisons for federally sentenced women proposed in *Creating Choices*. The use of "facilities" as opposed to "prisons" is meant to reflect the less punitive environment.

#### **Abbreviations:**

**BST** - Behavioural Science Technician

**CAEFS** - Canadian Association of Elizabeth Fry Societies

**CCRA** - the Corrections and Conditional Release Act, 1992

**CSC** - Correctional Service of Canada

**EFRY** - Elizabeth Fry Society

**IERT/ERT** - Institutional Emergency Response Team

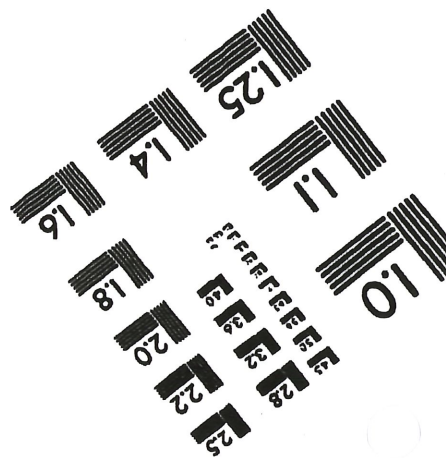
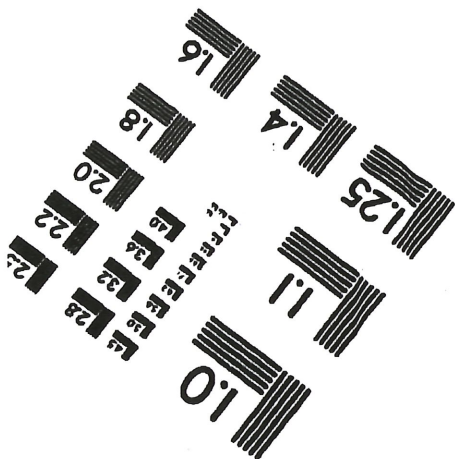
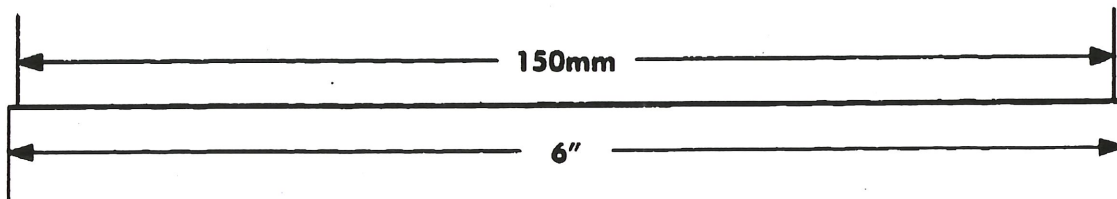
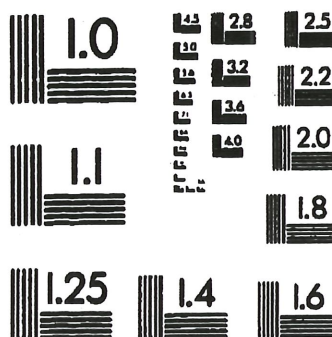
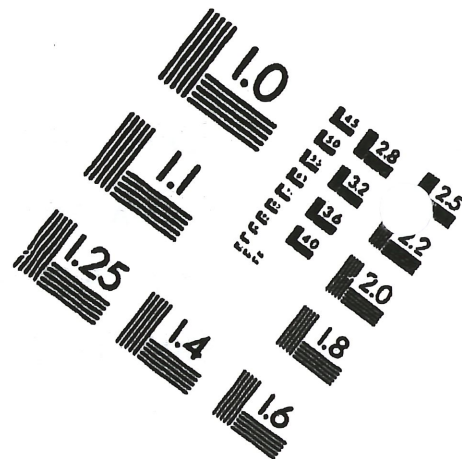
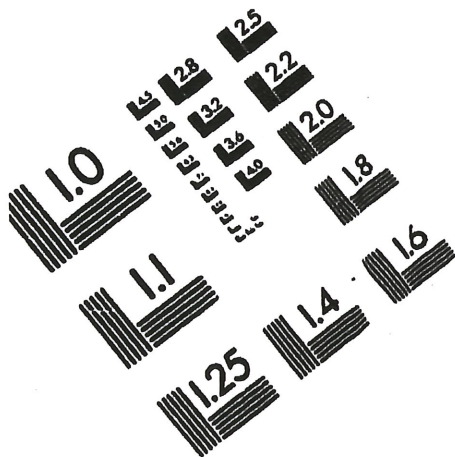
**LEAF - Women's Legal Education and Action Fund**

**NOVA - Nova Institution for Women**

**P4W - Prison for Women**

**SHU - Special Handling Unit**

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