



THE NATIONAL COUNCIL OF WOMEN OF CANADA  
LE CONSEIL NATIONAL DES FEMMES DU CANADA

Mary Gusella,  
Chief Commissioner,  
Canadian Human Rights Commission  
344 Slater Street  
Ottawa, Ontario  
K1A1E1

Dear Ms. Gusella:

Re: Human Rights Violation of Women Prisoners by the Government of Canada

The National Council of Women of Canada (NCWC) supports fully the complaint submitted by the Canadian Association of Elizabeth Fry Societies to the Human Rights Commission regarding the discrimination faced by federally incarcerated women on the basis of sex, race and disability by the Canadian Government. NCWC holds the view that this case of discrimination has been proven beyond any shadow of doubt.

NCWC expresses keen disappointment in the Consultation Paper for the Special Report on the Situation of Federally Sentenced Women, January 2003 (Canadian Human Rights Commission) in which the systemic nature of the discrimination faced by women prisoners is not well articulated. The questions raised deal with issues that clearly have been substantiated as discriminatory but have not been acted upon. .

NCWC, like other equality seeking organizations, waited patiently, and then with growing impatience for the government to take action on CREATING CHOICES, the 1990 report of the Federal Task Force on Federally Sentenced Women. NCWC contributed to the both difficult and painful work of the Task Force and supported the report's recommendations. The feeling was that this time the Government of Canada would finally support and implement the principles and dreams of CREATING CHOICES. These principles for change were expressed through a plan which provides meaningful choices for Federally Sentenced Women (FSW) in the immediate-term, and which were set with a context that looked forward to long-term fundamental change in the criminal justice system's response to women in conflict with the law.

CREATING CHOICES outlined initiatives based on a classification system intended for women only which included the creation of medium and minimum security facilities (both lacking) and for community involvement in the delivery of programs i.e. health, education, and employment training etc. These same initiatives are repeated in the Canadian Human Rights Commission Consultation Paper for the Special Report on the Situation of Federally Sentenced Women (Jan 2003).

It is clear that the Government of Canada / Correctional Services of Canada has failed to address the issues of discrimination against Federally Sentenced Women. The move to regional prisons has not been without problems possibly due in part to a failure to involve personnel with expertise in working with FSW in the development and implementation of the regional prison plan. We further note the failure to involve community components of involvement in health services, programs and education.

In continuing work with other National Equality Seeking Groups regarding the Systemic Review by the Canadian Human Rights Commission of Human Rights Violations of Women Prisoners by Corrections Canada we revisited the work of the Task Force on Federally Sentenced Women and involved current or former FSW in examining the present situation. The consultation process for our groups and the FSW has been a painful one for all concerned and begs the question "Did we break the trust of FSW in our mission?".

It has been well over a decade since the publication of "CREATING CHOICES" with its recommendations to end discrimination against FSW, to create a new vision for women in corrections and to unlock the door to rehabilitation. In view of the charges of discrimination being laid against Corrections Canada we can only affirm that little progress has been made and that the recommendations of CREATING CHOICES have been largely ignored.

The National Council of Women of Canada, a federation of some 17 Local Councils of Women in major communities across Canada, 5 Provincial Councils of Women, 1 Study Group and 27 diverse national organizations, urges the Canadian Human Rights Commission to work with all possible speed and commitment on behalf of Federally Sentenced Women to recognised the validity of the charges of discrimination against Corrections Canada on the basis of gender, race and disability and to ensure that the Government of Canada / Corrections Canada is required to act immediately to rectify the situation.

Sincerely,

**COPY**

Catharine Laidlaw-Sly  
President

cc: Margaret MacGee

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