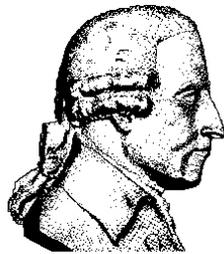


Standing Committee on Prison Conditions in Ontario

**First Report to the Board:
*The Superjails in Ontario***



John Howard Society of Ontario

Approved
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Background

The work of the John Howard Society in Ontario has its roots in prisons, both in terms of visiting people in prison and assisting individuals upon release from prison. Conditions of confinement in Ontario prisons, therefore, have long been a focus of attention of the Society. Inadequate living conditions and poor treatment of prisoners have not only public safety and public health consequences but also legal and human rights implications. Monitoring conditions in prisons in Ontario and bringing public and political attention to issues of concern are clearly connected to the Society's Mission - *effective, just and humane responses to crime and its causes*.

Most recently in our history, the Board of the John Howard Society of Ontario has taken a particular interest in prison conditions and the treatment of prisoners, specifically because of the "infrastructure renewal" undertaken by the Ontario government in the late 1990's affecting provincial jails and prisons. It was in this context that the "superjail" concept originated and our Board was concerned about the conditions and programs in these institutions and the impact on those detained in them. Reflective of these concerns, the Board appointed an ad hoc committee (referred to as the Mega-Jail Committee) to look into matters related to the superjails on their behalf.

Subsequently, the Board undertook to revise its Mission Statement to include an additional Method to highlight their particular interest in the treatment of prisoners. The additional Method reads as follows:

Promotes the fair and humane treatment of all incarcerated persons and seeks to ensure that all forms of detention and imprisonment comply with relevant legal and human rights standards.

Consequently, the Committee approached the Board to expand the mandate to include conditions in all prisons in Ontario and to become a standing committee of the Board. As a result, the Standing Committee on Conditions in Ontario Prisons was established and Terms of Reference were adopted (see Appendix).

This report represents the Standing Committee's first report to the Board.

Our “Study”: The Methodology

The Committee employed a variety of methods to gather the information for this report.

• *Tours of the following institutions*

Central East Correctional Centre (CECC) on Nov.26, 2003

Central North Correctional Centre (CNCC) on October 21, 2004

Maplehurst Correctional Complex (Maplehurst) on September 9, 2005

• *Follow-up contacts pursuant to the tours*

With CNCC staff and Ministry of Community Safety and Correctional Services (MCSCS) officials to request further information not available at the time of our visit:

Received from CNCC

- ▶ Sentenced and Remand Male Inmate Handbook
- ▶ “Central North Correctional Centre Programming: Rehabilitation through education - To help change lives”
- ▶ “Central North Correctional Centre: The private operation of an Ontario superjail (Draft)”
- ▶ Information contained in a memo from Peter Mount, Director of Communications dated January 10, 2005
- ▶ Information contained in a letter from Phill Clough, Facility Administrator dated June 16, 2005

Received from MCSCS

- ▶ Information in a letter from John Rabeau, Deputy Minister MCSCS, dated June 2, 2005
- ▶ “Central North Correctional Centre: Process Audit and Transaction Documents” which included the Service Agreement, Request for Qualifications and Request for Proposal

With Minister MCSCS to request copies of any reports of the Monitoring Committees established:

Received from John Rabeau Deputy Minister, Correctional Services MCSCS

- ▶ Letter dated August 18, 2005 stating that such reports were not public documents and, therefore, would not be shared with the Committee

• *Other Sources*

- ▶ Official data
- ▶ Relevant research and literature
- ▶ Annual Reports Ontario Ombudsman
- ▶ Prison Privatization Report International
- ▶ United Nations *Standard Minimum Rules for the Treatment of Offenders*
- ▶ John Howard Society Institutional Services reports
- ▶ Media reports

The Context: The History of the Superjails in Ontario

Very early in the mandate of the government in power in Ontario from 1995 to 2003, it became clear not only from their words but also from their actions, such as the closure of all halfway house beds for provincial offenders, that corrections would undergo a radical change. The message was that the Ontario government would be “tough-on-criminals”, expect more in terms of reduced crime because of the deterrent effect of this approach, and cut the costs of operating the system. Additionally, there was discussion of the involvement of the private sector.

When the Conservative government came into power in 1995, many of the jails, detention centres and correctional centres which house provincial prisoners were old, poorly designed and expensive to maintain, often overcrowded, with many health and safety issues for both prisoners and staff. The government responded to this in 1996 by announcing the Infrastructure Renewal Project. This announcement launched a major, multi-phased initiative which involved expanding and retrofitting existing correctional facilities, building new ones and decommissioning older facilities. The investment in retrofits and new facilities was budgeted to be \$450 million.

The cornerstone of this initiative was the construction of two new large institutions (each housing 1,184 inmates) and the expansion and retrofit of existing institutions (Maplehurst to increase to a capacity of 1,550 inmates from 600). The idea was to locate prisoners more centrally in large institutions and to create economies of scale. These institutions would also contain state-of-the-art technologies designed not only to improve surveillance and containment capabilities but also to permit greater use of indirect supervision, thereby reducing staffing requirements. These three institutions became known as “superjails”.

The design for the “superjails” included the following elements:

- six inter-connected octagonal “pods”
- 192 beds in total in each pod
- a control area at the centre of each pod
- in each pod: six living units, an enclosed exercise area, a visiting area and a program area
- in each housing unit: 16 cells (two beds per cell) and a common area (seating, TV and phones)
- a separate unit for females
- a medical infirmary
- a segregation unit
- a meal preparation facility
- a separate inmate industries building
- administrative office space
- video remand area
- all inmate-occupied areas surrounded by fence and topped with razor ribbon
- all doors, windows, locks and perimeter walls built to maximum security standards

The terms frequently used by the government to describe the living conditions in these facilities were “spartan” and “no-frills”.

Both remand and sentenced offenders were to be housed in these superjails. The original plan was for the new facilities to accommodate 200 remand prisoners with the remainder serving a sentence. It was anticipated that Maplehurst would have a greater number of remand prisoners due to its location.

In terms of selecting the sites for the two new facilities, the one for the Central North was the first, followed by the one for the Central East area. Communities in the respective areas were invited to submit their interest in being the host community for each facility. A shortlist was then selected from which the final site selection was made. The decision was based not only on that community having the resources/infrastructure required but also whether the community could demonstrate that it was a “willing host” in terms of community support for a prison in their area. Penetanguishene for Central North, and Lindsay for Central East, were selected through this process. Construction began on the Penetang facility, the Central North Correctional Centre (CNCC) in 1998 and completed in 2001. The Central East Correctional Centre (CECC) in Lindsay was started in 1999 and completed in 2002.

Maplehurst Correctional Centre and Detention Centre was to be expanded in the design of the “superjail”, the elements of which were described above, and the Vanier Centre for Women relocated from its site in Brampton to a new facility on the grounds of Maplehurst. The expansion began in 1998 and was completed in 2001, resulting in the Maplehurst Correctional Complex housing male offenders and the new Vanier Centre for Women accommodating female prisoners, both sentenced and remand.

An important part of the Infrastructure Renewal was the centralization of food preparation, via a “cook-chill” system that allows meals to be prepared in advance, chilled for short-term storage, and re-heated for serving at the prison. The Cook-Chill Food Preparation Centre was built on the site of Maplehurst and the contract to operate it was awarded in 2002 to Eurest Dining Services, a member of Compass Group Canada Ltd.

In 1999, the Ontario government announced that, while the ownership of the Central North facility in Penetanguishene would remain public, it would be operated by the private sector (“public-private partnership”). Similarly, it was announced that Central East facility would remain publicly operated and that the two facilities would be compared on a number of factors, including costs, escapes, assaults and recidivist rates. The Request for Proposal process began in late 2000 through which Management and Training Corporation (MTC), a Utah-based firm, was selected in May 2001 to operate CNCC in Penetanguishene. The contract was for five years, with a one year extension at the option of the Ministry, in the amount of approximately \$34 million and with an option to renew for a further five years on financial terms to be negotiated. The current contract ends November 2006.

The privatization issue did create some controversy in the Penetanguishene community. There were voices in the community who were opposed to private prisons and felt betrayed by the

government announcing their decision to have the facility privately operated after the community was selected.

With respect to the operation of public and private institutions, the government made it clear that all institutions would have to adhere to Ministry policies and standards. For further assurance of accountability and compliance, the CNCC was to have a Ministry on-site compliance team and a Monitoring Committee of local citizens appointed by and reporting directly to the Minister. It was also announced that any decision to continue or even expand privatization initiatives would be based on the results of the comparison of CNCC, the privately-operated facility and CECC which would continue to be publicly-operated. The basis of the review and the comparison would be the Performance Framework designed to measure outcomes in relation to: 1) escapes, 2) re-offending rates, 3) incidences of disturbance, 4) inmate deaths, 5) management of the institutions (which would include costs), 6) safety and management of physical plant, and, 7) inmate health and well-being.

On April 27, 2006, it was announced that the government would allow the contract with MTC to expire in November 2006 and that the operation of the facility would be transferred to the public sector. In the announcement, the Minister noted that there had been “no appreciable benefit from the private operation” and that, in fact, CECC as the publicly-funded comparator performed better in key areas such as security, health care and reducing re-offending rates.

The Institutions: A Description and our Impressions

What we saw and were told:

The following should be considered as a “snapshot” of what the Committee observed at the time of each tour. While some details may be different today, we believe that the essence of what we have to report have held true to this day.

In all three facilities

The three institutions are very similar in their design, look and feel. All have the design elements described earlier. All are situated on a large property with surrounding green space (to which prisoners have no access). All are circular with six pods. Each pod has a central main control centre with six living units running radially off it, an exercise yard, a program area and a visiting area. The exercise yard (where prisoners are to get their 20 minutes a day of “fresh air”) are closed in - half covered by roof and half by wire mesh - with a concrete floor and no exercise equipment. Each of the living units has 16 cells (8 up and 8 down). Each cell accommodates two people and is very sparse and austere containing a double bunk bed, toilet, sink, table, two stools and shelves and a mirror, all metal and bolted to the floor or the wall. Each cell has a solid steel door, a 20 inch by 4 inch window and a food slot. Each living unit also has a common area with eight metal table/chair units fixed to the floor, three payphones and one T.V. Showers are outside the cells in this common area.

Video cameras are everywhere and monitored by the staff in the control centre. All activities are video-taped.

Prisoners are locked out of their cells during the day with the exception of meals times when they are locked in their cells (a policy change to minimize “muscling” for food). Unless they have access to work, school, or other programs/services or have a visit, they spend their days in the common area watching TV, talking to other inmates or on the phone or just doing nothing. Prisoners were seen to be just walking and talking in the exercise area. Readily outstanding is the bright orange colour of the jumpsuits all prisoners are required to wear and the fact that a high percentage of the prisoners are visible minorities, primarily Black. The atmosphere appeared to be a mix of boredom and anxiety.

As a result of a policy decision by the Ministry of Community Safety and Correctional Services, driven largely by cost factors, remand prisoners have no access to work or programs. Sentenced prisoners can apply for work, school or other programs, the nature of which seems to vary with each institution.

Visits are non-contact. The visiting area is on the second tier of each pod and consists of a line of separate cubicles, each side open at the back, a separating glass partition and phones to communicate.

Each institution has a medical unit and segregation unit. All are single cells which, like the regular cells, are austere and sparse. These prisoners are locked in their cells at all times with the

exception of permitted exercise time if they are physically capable.

All institutions have an area for video remand in a corridor outside of the pod.

There are a school area, a library and a gymnasium. Only sentenced inmates have access to these areas.

There are central laundry and kitchen areas. The kitchen does not prepare the food but rather heats up and delivers the food prepared in the Cook-Chill facility located on the grounds of Maplehurst.

Touring these institutions felt like walking through a giant maze of sterile cement and concrete-block corridors.

All of the tours were very thorough and we were permitted to go to all of the areas we requested.

At Central East Correctional Complex (CECC) in Lindsay

The Deputy Superintendent led the tour. At the time, CECC was still in the phase-in period - the count at that time was 870, of which approximately 450 were on remand. The remands were mostly from Oshawa, Cobourg, Peterborough, Lindsay and Newmarket and surrounding areas; the sentenced prisoners could originate from much greater distances. There were about 200 staff at that time and an additional 150 employees work in the kitchen and on maintenance. In each pod, there were six officers - one in the control unit, three in the pod and two general duty officers.

There were six pods for males (only five were open at the time) and a female unit with 31 beds. They received approximately 100 “intermittents” (sentenced to serve time on weekends) per week. Those on immigration holds were in a pod with remand protective custody prisoners.

There were two psychologists with offices in the segregation area where anyone who may harm themselves or appear to have emotional or mental health problems were held. There were four social workers having offices in the remand pod. At the time, there was one psychiatrist serving the institution.

Although they were about to hire an addictions counsellor, people with substance abuse problems and serious mental health issues were being classified for transfer to Ontario Correctional Institute (OCI), the Northern Treatment Centre or to St. Lawrence Valley facility. They did have what they referred to as “orientation programs”, including a 20 session anger management program.

Twice a day, nurses come to the pods to dispense medication.

The library shelves were not yet stacked and we were advised that for security reasons, there would be no hard cover books (we were informed that any hard cover books received by CECC were sent federal prisons).

There was a weight room/gymnasium in the pod for the sentenced general population and available only to those prisoners who were “workers” (had a work assignment). Only four to six could use it at one time. There were two recreation officers.

In the school (again only for sentenced prisoners), there were two teachers and 11 computers for 80 students. They have no internet connection but can link into the Kawartha College online.

It was described as a “no-frills” institution.

At Central North Correctional Complex (CNCC) in Penetanguishene

The tour was led by the Director of Communications (who had worked for the Chamber of Commerce in Penetanguishene prior to being hired to work at CNCC). This institution is operated by the Management and Training Corporation (MTC) of Utah, which also operates 13 correctional facilities throughout the world and was currently building in Costa Rica and Stockholm. We were advised that rehabilitation is their specialty.

The maximum capacity of the institution is 1183 inmates, with a usual count of 1125 to 1150 of which between 200 and 300 are on remand. The maximum female population is 32.

Staff number was 350 and they receive the same training as those in the publicly-operated facilities. They are unionized (represented by OPSEU), so their salary and benefits are similar to public employees. While OPSEU represents the correctional officers at CNCC, the union’s official policy continues to reflect opposition to privately-run facilities.

There was a no-contact rule for visits; however, we were advised that one exception had been made.

The tour met with a security lieutenant, who talked mostly about gang affiliation and procedures to maintain separation among the members. Most materials noted originated in the U.S.

Staff were courteous, open and receptive. The staff morale and the working relationships among staff appeared to be positive. Most staff were new to corrections, having just been hired by MTC since its opening. The Acting Superintendent previously was a public servant in corrections in B.C. The Superintendent was on leave with no date specified for his return.

They spent considerable time outlining their programs which focused on life skills and education. There is a partnership with the Simcoe Board of Education. There was considerable activity in the school area with prisoners busy on computers. Again, programs are only for those who are sentenced.

There was little evidence of equipment in the gymnasium (one basketball hoop). At the time of our visit, the gym was being used for Use of Force training for the staff.

The library does have hard cover books and continually seeks out contributions.

Answers to a number of our questions were not known by the Director of Communication, our tour leader. However, he did agree to seek out the information upon receipt of our list of questions and get back to us with the answers. We forwarded to him our outstanding questions by e-mail on November 2, 2004 and, despite numerous follow-up e-mails and phone calls, did not receive a reply from him until January 10, 2005 and it contained responses to only a few of our requests. We subsequently sent an e-mail to him on January 26, 2005 identifying the remaining outstanding request for information. After no reply by April 2005, we wrote to the Acting Superintendent and senior Ministry officials to obtain the information, to which we received a reply in June 2005.

At Maplehurst Correctional Complex (Maplehurst) in Milton

The tour was led by the Staff Training Officer who has been at Maplehurst for 28 years – soon after it opened. The institution is located on a large property (“close to 110-football fields can fit on the property of Ontario’s new Maplehurst Correctional Complex, making it the largest facility of its kind in Canada” according to information on the Ministry’s website) just off Highway 401. All of the considerable green space surrounding the buildings appears unused (as compared to the past, when sports and other recreational activities took place, we were told). Now prisoners generally have no access to this space, except for the few sentenced prisoners walking to work to the Cook-Chill facility and the even fewer prisoners leaving the institution on Temporary Absence Program to perform community service work.

Our tour was very extensive and we were taken to whatever area we requested (sentenced unit remand pod, segregation, medical unit). Staff in all of these areas were very open and seemed more than willing to spend some time with us, explaining their assigned role in the running of the institution. Apparently the staff at Maplehurst are a mix of people from a number of facilities that had been decommissioned over the past few years by the past and current governments. We all felt some disconnect between their open and pleasant demeanour and how they described the realities of prisoners’ daily life in the institution. There was an acknowledgement of the lack of programs and meaningful activity; we felt that this would be a difficult situation in which to work. It seemed to us that their jobs were now primarily “warehousing”.

At the very beginning of the tour, we were warned that we may not get into certain areas because of a lockdown. Lockdowns were common, we were told, primarily due to insufficient staffing levels (typically staff pulled from an area to escort prisoners, staff training, sickness, vacation) rather than any incident. Staff saw lockdowns as an issue of concern because of restricted prisoner activities that adds to the boredom and the tension within the institution. We were told that a lockdown occurred normally three times a week and in the summer when vacation leave was at its height, it was about four times per week. The number of lockdowns and challenges associated with them was mentioned in every area we visited.

From our observations and verbal confirmation by staff, we conclude that the segregation area held some quite disturbed individuals. In one case, we were held at a distance while one prisoner who appeared to be suffering from Fetal Alcohol Spectrum Disorder (FASD) and heavily medicated was moved through the unit under escort, wearing shackles and handcuffs.

Educational programs are provided by the local Board of Education and again only for sentenced prisoners. Initially, there was an attempt to enrol remand prisoners in correspondence courses but this was abandoned because of the cost and lack of follow-through by the individual upon release from remand.

In the medical unit, we were told that some prisoners arrive at the institution requiring medical attention because of injuries that occurred in the transportation vans.

We met two recreation officers who told us about the dramatic cutbacks to recreation both in their institution and in the province at large. Other issues identified in terms of carrying out recreational activities were lockdowns and limited equipment.

At the end of our tour, we met with the Superintendent. He was quite candid about the challenges of Maplehurst, particularly with respect to all of the issues connected with the high percentage of remand inmates (e.g. transportation and staffing challenges, high turnover of prisoners, no activities for those on remand). He talked about his willingness to work with us around some issues and indicated that he had already connected with the Executive Director of JHS Waterloo-Wellington about personal property for those who are released from court. He noted that they had a hard time keeping sentenced offenders (they had around 70 at the time) at the institution which were needed both for labour and to provide some sense of stability. He noted that sentenced offenders were typically sent quickly to CNCC whenever bed space was available there.

What we learned from other sources

The data

The most recent official data tells us that:

- A substantial proportion of the total bed capacity of correctional institutions in Ontario (37%) are in these three institutions.
- Concentration has been happening. Of all those held in custody in Ontario correctional facilities on any given day, 39% are in these three institutions
- Each of these three institutions has a different mix in their inmate population. Over 80% of those held Maplehurst are on remand. Almost three-quarters of CNCC's population is sentenced. CECC has more of a mixed population – about one-half are sentenced, over a third remand with the remainder being those on immigration holds.

(See Appendix for further details)

The research

A review of the literature relevant to development and design of superjails shows that:

- While little data exist on this topic, it has been shown that severe punishments or restrictions on inmates, such as those that may be associated with “no frills” prisons, have not been associated with meaningful reductions in inmates’ disruptive behaviour.
- It cannot be said that harsh prison conditions lead to less crime and less recidivism. Research that examines a direct connection between prison conditions and crime rates or recidivism appears to be non-existent.
- Research on crowding, which includes social density crowding, suggest it has a negative effect on inmates behaviour, creates stress and leads to a tendency to misclassify prisoners.
- There is evidence that facilities characterized by direct supervision of inmates by staff are safer both for inmates and staff and less expensive to build and operate than those that rely on technology (indirect supervision facilities).

(See Appendix for further details)

Ombudsman’s Reports

The reports from Clare Lewis, the Ontario Ombudsman (1999/2000 - 2005), reflected significant concerns about the treatment of those detained in Ontario prisons. During this period, the number of complaints to the Ombudsman’s office about the Ministry of Correctional Services rose by 29% (from 6,332 to 8,158) and represented a larger proportion of all complaints. The nature of the complaints make for a long list, including matters relating to health care and food/diet, access to fresh air and transportation upon release. It is unfortunate that, generally, there is no identification of the institution connected to these complaints; however, we note one exception, the 2003/04 report that spoke to issues relating to a “lock-down” at CNCC and concerns about health care again at CNCC. (See Appendix for relevant excerpts from the 2003/04 annual report)

Human Rights Standards

In reviewing the United Nations *Minimum Standard Rules on the Treatment of Prisoners*, an

international human rights instrument which Canada endorses, note was made of the following rules which specify that:

- the size of the institution should not be so large that the individualization of treatment is hampered, generally no larger than 500;
- it is not desirable to have two prisoners in a cell or a room;
- clothing shall in no manner be degrading or humiliating;
- special attention shall be paid to the maintenance and improvement of relations between the prisoner and his family;
- all prisoners who are physically able shall receive physical and recreational training during the period of exercise with the necessary space, equipment and installations available; and,
- every institution shall have a library for use by all categories of prisoners, adequately stocked with both recreational and instructional books and prisoners shall be encouraged to make full use of it.

(Full document available at: http://www.unhchr.ch/html/menu3/b/h_comp34.htm)

Prison Privatization Report International (PPRI)

Report #64 detailed concerns about CNCC with respect to:

- contract non-compliance;
- complaints from prisoners about health care; and,
- staffing levels compared to CECC

(See Appendix for further details)

JHS Institutional Services Reports

Issues/concerns noted in reports to date from those who visit these three institutions relate to:

- heavy demand for very basic needs – haircuts, clothing for court or on release (particularly winter clothing – being released without a winter coat), money to purchase items from canteen such as food and hygiene needs;
- living conditions – lighting, food (too little), noise level, not receiving clean laundry, yard time cancelled;
- health care – wait times to see a doctor, medications;
- inadequacy of the resources for discharge planning, particularly apparent for those who are serving short sentences; and,
- release from court without personal property (I.D., money) and the difficulty of retrieving it due to the distance from home communities.

Media Reports

Media attention and references relevant to this report seemed to be primarily focused on CNCC and related to the following matters: the death of a prisoner from blood poisoning at CNCC in July 2003 and the subsequent inquest, the murder of a prisoner at CNCC in May 2004 and complaints about health care at CNCC. (See Appendix for reports reviewed)

Issues of Concern

- ***The “superjail” environment***

The environment in which provincial prisoners are detained in these institutions is indeed spartan and no-frills. To the members of this Committee, there is nothing positive or redeeming about detaining people in what we would characterize as sterile, harsh environments that are too big and hold too many people to be constructive, correctional or rehabilitative in nature. The environment of the superjail was designed to be a deterrent by being punitive in its effect and the environments of all of these institutions certainly feel punitive, with their pods, maze of corridors, concrete block walls and cement floors, bars, enclosed yards, metal chairs and tables bolted to the floor. Not only is a punitive environment contrary to human rights standards with respect to the treatment of prisoners for both sentenced and remand prisoners but it also works against any reasonable notion of public safety. There is virtually no evidence to suggest punitive environments reduce the likelihood of future criminal activity; in fact, the evidence would suggest that the opposite is true.

- ***The location***

The locations of CECC and CNCC seem to have been chosen more for political reasons than to recognize and address the needs of prisoners. Penetang and Lindsay are far from the cities where the vast majority of prisoners originate, from the court in which they will be appearing or from where they would be returning upon release. For the correctional system, there are obvious administrative issues and significant costs connected with transportation. Further, the locations make it difficult for friends and families to visit and for lawyers and community agencies to connect with their clients. Phone calls can be costly, particularly when the only way for a prisoner to make necessary connections is via a long distance collect call. It needs to be recognized that the burden of this expense falls upon those who often can least afford it, specifically families and community agencies.

Even Maplehurst, as the most central facility, is not immune from transportation issues. It is far enough away from Toronto to make public transportation difficult for family visits, while heavy traffic routes to the facility make professional visits very time-consuming. Further, Maplehurst remand prisoners who are released from court have to return by their own means to the institution in order to reclaim their property which includes their identification. We have heard countless stories of the challenges of getting back to the institution to reclaim property.

- ***The lack of programs and services***

The Committee was particularly disturbed by the complete lack of programs and services for the remand population. This is the case in all provincial correctional facilities as the Ministry of Community and Correctional Services’ policy is to concentrate all available program resources on sentenced prisoners. Remand prisoners have no access to the gymnasiums, the schools or the libraries in these institutions and cannot take advantage of any psychological/rehabilitative programming available to sentenced prisoners. For these prisoners, there is nothing to meaningful to do every day, all day long. At best, it amounts to warehousing, but, for those who spend long periods of time on remand, some for many months and even years, it could be

characterized as cruel. Officials will often use the median and average number of days on remand - 8 days and 33.5 days respectively - to justify the policy decision with respect to no programs services for the remand population but other figures tell us that a significant number are on remand for more than three months. For example, the most recent remand release data available (2002/03) show that approximately five percent (about 2,900) remained on remand for between three to six months, two percent (about 1,100) for between six months to one year and one percent (500 approximately) for between one and two years.

Further, the Committee saw the lack of programs and services for those on remand as a wasted opportunity. It is an opportunity to connect with and begin providing programs and services to some individuals who want and need such programs and services and to arrange for them to continue in the community.

The Committee saw little evidence of programming in action for sentenced offenders during its time in the institutions. Further, we saw no obvious use of the gymnasiums and the libraries by the sentenced prisoners, although not surprising given the lack of staff, notable absence of equipment and frequent lockdowns.

- ***Lock-downs***

The Committee was concerned about the situation with respect to lock-downs at Maplehurst because of staff shortages and question the rate at which this also happens at the other two institutions. Movement and activities in these institutions are restrictive enough without having routines further restricted routinely for administrative purposes. Not only is daily life duller and more tedious for prisoners in a lockdown situation but also it impacts on their accessibility to important aspects of personal care such as exercise times and showers.

- ***Clothing***

While we are aware that prisoners in all Ontario prisons wear orange jumpsuits, the impact of it was particularly striking as we toured the superjails, just because of the sheer number of individuals in these outfits. We find it humiliating to, and demeaning of, the individual. Forcing people to wear this garb is not suitable in a system that purports to respect fundamental human rights and the standards that apply to the treatment of prisoners.

We also have understandable concerns about people being released with clothing inappropriate for the weather, which again is an issue for all provincial prisoners in Ontario. We have been told that there is no legal obligation to provide clothing for prisoners upon release. While we find it unacceptable that anyone would be released without appropriate clothing for the season, it is a particular issue for the two new superjails because of the distance people typically have to travel to get back to their home communities. There are significant challenges involved with making it back to one's home community without the additional worry and health concerns connected to travelling without a winter coat for example in February.

- ***Health and safety of prisoners***

The Committee was troubled to hear that prisoners arrive at or return to the institutions from Court with injuries requiring medical attention. There needs to be more attention to providing

greater safety to prisoners either via more supervision in transit or limiting the need for unnecessary trips to Court. While video remand has been seen as one way of limiting the number of trips to court, there has been some suggestion that video remand may be, in fact, contributing to the growth of the remand population. It has been suggested that it may be “easier” to order a subsequent remand because the person is not physically in court and has not been transported and spent the day waiting in the court cells with all of the administrative consequences attached to court appearances including cost.

We would encourage an evaluation of video remand and would hope that there would be caution about expanding its use until the results of the evaluation demonstrate that it is not a contributing factor to the growth in remand. We would expect that the safety in transport can be improved through other means, such as more direct supervision, in the meantime.

The complaints about health care at CNCC prior to, and around the time of, our tour seemed to be more numerous and significant than at other institutions and we worried not only about the consequences of inadequate health care to prisoners but also query whether associated costs to the operator (MTC) may have been a factor. We understood that the Ministry had applied additional oversight to CNCC around health care in response to complaints and media reports; however, we do not know whether this continued and what changes were seen as necessary to bring health care at this institution up to standard.

- ***Reliance on technology***

We are concerned about the reliance on technology to supervise prisoners. This model of supervision contributes to the dehumanizing of prisoners and, as such, is neither effective nor respectful of human rights. Further, our experience and the research suggest that those institutions that rely more on direct supervision by staff than on technology are safer and make for better morale, for both staff and prisoners.

- ***Effect on staff***

The Committee was concerned that the negative and oppressive elements of the “superjail” environment must be affecting the staff as well. We came away from these tours with the impression that not only is the superjail not a positive, healthy, safe environment in which to live, it is also not a positive, healthy, safe environment in which to work. We are concerned both for the staff themselves and for how it may affect their treatment of prisoners.

We worried particularly about those long-term staff who worked in institutions when and where the vision was focused on rehabilitation and at least some attempt was made to have meaningful activities and programs and services. We wonder the effect must be on staff morale of being relegated to just “warehousing” prisoners.

Discussion and Recommendations

In a document prepared by JHSO and submitted to government in 1999 “Agenda for Change: Building on our vision for corrections in Ontario”, we recommended, first and foremost, that the construction of provincial prisons underway at that time be stopped. We noted the following about the planned superjails:

As well, the system of “superjails” presently being constructed will not meet the standards necessary for humane conditions. The design of a prison system must recognize the human costs of incarceration. Ensuring that the negative effects of imprisonment are kept to a minimum requires that:

- *the size (maximum capacity) of a prison should not be so large as to create problems relating to crowding and high-density such as increased aggression, competition for resources and the spread of infectious diseases;*
- *prisoners should be supervised through direct contact with staff; and*
- *the location of prisons should not present barriers to family visits and outside contacts (lawyers, agencies and community support groups).*

Plans should be developed to redesign those prisons which are advanced in their construction for use as smaller institutions or for other uses more productive for the community.

Our tours of these institutions only served to validate these recommendations and today we would strongly recommend that **government commit to ending “superjails”** – not only by **terminating any plans for further construction of similar institutions** but also through moving towards **closing beds/eliminating double-bunking in the existing superjails, and eventually, closing these institutions.**

Planning to close the superjails obviously must be connected with a plan to reduce the use of incarceration generally, and, particularly, of remand. In numerous submissions over the years, the John Howard Society has called on government to take the action needed, outlining the measures that could accomplish this. These proposals that are based largely on the recommendations of studies and reports to the government over the past decade (reports from the Commission on Systemic Racism in the Ontario Criminal Justice System, the Criminal Justice Review Committee and the Provincial Auditor). We continue to call on government to take such action through this report.

In the meantime, we feel that **design and policy changes could, and should be, made immediately** that would improve the environments of these institutions, specifically:

- ***programs and services available to the remand population***
- ***design changes*** to accommodate direct supervision in the pods (e.g. remove glass in the guard modules)
- ***outside yards*** for fresh air, sunshine and exercise
- ***direct access to yards/libraries/recreation*** from the pods
- ***better and more recreational equipment***, the development of appropriate ***recreational programs***, additional ***recreation officers***
- ***adequate libraries and library staff***

- new *attire* for prisoners (not identifying or humiliating and perhaps suitable to be worn upon release)
- a review of *staffing requirements to avoid lock-downs*
- identification and implementation of *measures needed to ensure the safety of prisoners* in transit (we hesitate to specifically identify greater use of video remand as such a measure until there is an evaluation of this program)
- *mitigation of the barriers to visiting* (cost, physical space) and to phone contact (cost)

Further and finally, we recommend that the reports of the Monitoring Committees for these institutions be designated as public documents and made accessible to any interested individual or organization. These are bodies acting as the eyes and ears of the community into these closed institutions. It is imperative that the information they gather in fulfilling these duties be available for public scrutiny.

Summary of Recommendations

- 1. The Ontario government publicly commit to ending “superjails” as part of its provincial correctional system.**
- 2. The Ontario government terminate any plans for further construction of similar institutions.**
- 3. The Ontario government develop and implement plans to reduce the use of incarceration that would be allow for bed closures and elimination of double-bunking in the existing superjails, and eventually, the closing of these institutions.**
- 4. Design and policy changes be made immediately to improve the environments of these institutions, specifically:**
 - a) programs and services available to the remand population**
 - b) design changes to accommodate direct supervision in the pods (e.g. remove glass in the guard modules)**
 - c) outside yards for fresh air, sunshine and exercise**
 - d) direct access to yards/libraries/recreation from the pods**
 - e) better and more recreational equipment, the development of appropriate recreational programs, additional recreation officers**
 - f) adequate libraries and library staff**
 - g) new attire for prisoners (not identifying or humiliating and perhaps suitable to be worn upon release)**
 - h) a review of staffing requirements to avoid lock-downs**
 - i) identification and implementation of measures needed to ensure the safety of prisoners in transit (we hesitate to specifically identify greater use of video remand as such a measure until there is an evaluation of this program)**
 - j) mitigation of the barriers to visiting (cost, physical space) and to phone contact (cost).**
- 5. The Ontario Government designate the reports of the Monitoring Committees public documents to be accessible to any interested individual or organization.**

Appendix A:

STANDING COMMITTEE ON CONDITIONS IN ONTARIO PRISONS JOHN HOWARD SOCIETY OF ONTARIO

TERMS OF REFERENCE

Committee Type:

- Standing

Mandate

- Monitor, assess and report on prison conditions in Ontario by undertaking the following:

Responsibilities

- Forming linkages with JHSO Institutional Services staff across Ontario;
- Visiting federal and provincial institutions in Ontario and providing reports to the Board with recommendations where relevant;
- Examining reports /findings from external authorities, including Provincial Ombudsman, Federal Correctional Investigator, Coroner's inquests, and the Provincial Auditor to maintain current knowledge and understanding, and report to the Board on these reports and, where relevant, propose a plan of action for the Board's review and approval;
- Bringing to the attention of government officials matters of concern relevant to prison condition issues, whether individual, group or systemic, and report such actions to the Board;
- Reporting to JHSO Board at each meeting and provide an annual report with findings as well as recommendations on strategies and actions, where relevant;
- Undertaking other activities as directed by the Board.

Appendix B: The Data

Capacity

- all Ontario institutions 9,218
- Maplehurst 1,078 (not including Vanier - 311)
- CNCC 1,184 (1,152 males and 32 females)
- CECC 1,119 (1,088 males and 31 females)

Average daily count

- all Ontario institutions 7,773
- Maplehurst 1,063 (not including Vanier - 282)
- CNCC 1,085 (1,061 males and 24 females)
- CECC 868 (836 males and 32 females)

Percentage remand and sentenced (based on total days stayed):

- all Ontario institutions Remand 60% Sentenced 35%
- Maplehurst Remand 82% Sentenced 16%
- CNCC Remand 28% Sentenced 71%
- CECC Remand 36% Sentenced 54%

Source: *Adult Correctional Populations 2004-05*, Ministry of Community Safety and Correctional Services

Appendix C: Review of the Literature and Research

A review of the research related to design issues - specifically the effect of harsher prison conditions, the impact of size of institutions, indirect vs. direct supervision – found the following:

- As described in the literature, “no frills” prisons feature, among a variety of things, less TV, recreation, visits and internal traffic, more use of solitary confinement, more gun coverage, and a return of the lash and chain gangs. While little data exist on this topic, it has been shown that severe punishments or restrictions on inmates such as those that may be associated with “no frills” prisons have not been associated with meaningful reductions in inmates’ disruptive behaviour (French and Gendreau, 2003);
- Research that examines a direct connection between prison conditions and crime rates or recidivism appears to be non-existent. The hypothesis that “no frills” prisons would be better at punishing criminal behaviour was tested indirectly in a meta-analysis study (which is basically a “study of all studies”) examining the effect of prison sentences on re-offending (Gendreau, Goggin and Cullen 1999). The authors found that the most consistently negative results (no reduction or an increase in reoffending) came from studies that looked at the effect of longer prison sentences, the majority of which were studies of 30 years or so ago when prisons were noted for being barren, harsh environments;
- In the absence of research on the impact of the size of prisons, crowding research was examined. Crowding research has concentrated mainly on the spatial density and the social density of crowding. *Spatial density* is defined as the amount of space (number of square feet) available per person in a particular housing unit. *Social density* is defined as the number of individuals sharing a housing unit and is considered the factor which contributes most to the adverse effects of crowding. However, it has been suggested that density alone does not explain the total effects of crowding. In the prison setting, crowded conditions are chronic; people prone to anti-social behaviour are gathered; there is an absence of personal control; and, idleness and boredom can be prevalent. Research has indicated that overcrowding has three types of effects on the daily prison environment. *First*, there is less of everything to go around, so the same space and resources are made to stretch even further. The lack of work or work opportunities leads to inmate idleness, often reinforcing the maxim that idleness breeds discontent and disruptive behaviour. The *second* effect of overcrowding is on the individual inmate’s behaviour. Crowding creates stress and this, in conjunction with other factors in a prison setting, can heighten the adverse effects of crowding. Idleness, fear, the inability to maintain personal identity, or to turn off unwanted interaction and stimulation, such as noise, all add to the stress of crowding. The adjustment process for inmates to cope with excess stress varies; it could be withdrawal, aggression or depression. The *third* effect involves a combination of the correctional system’s inability to meet the increased demand for more space and the resulting harm to individual inmates. In an attempt to cope with the limited space available and the resulting overcrowding, there has been a strong tendency to misclassify offenders. To a certain degree, overcrowding has resulted in offenders being classified on the basis of the space available rather than the

security level and programs most suitable for the offenders (Prison Overcrowding. John Howard Society of Alberta 1996);

- A recent review of the literature on design and management of prisons characterized by direct supervision of inmates by correctional officers versus indirect supervision through the use of technology found a high degree of consistency in the results of the more than three dozen reports examined. The direct supervision facilities were perceived to be “safer and less stressful, with lower incidents of violence and less expensive to build and operate”. The studies showed fewer conflicts - both among inmates and between inmates and guards, less vandalism/destruction of property, and less anxiety and stress in the prisons that operated with a direct supervision model. The author of the review concluded: “...the overwhelming sense of the research is that direct supervision is in fact a better way of designing and operating a prison.” (Wener, 2003)

Appendix D: Relevant Excerpts from the 2003/04 Annual Report of Ombudsman Ontario

Ministry of Community Safety and Correctional Services Adult Institutional Services, Central Region

In September 2002, a riot occurred at a privately run correctional centre. During the riot, inmates removed concrete slabs from the shower privacy walls and caused substantial damage to the facility. After the riot, all inmates were “locked down” for an extended period of time. While “locked down,” inmates were only allowed out of their cells into common or shower areas for brief periods during the day, there were delays in receiving medications and being seen by doctors at the facility and inmate privileges were restricted. Our office received calls about the “lock down” and reports that inmates were not receiving laundry, including clothing, sheets and blankets on a regular basis. The Ombudsman was concerned about this situation and commenced an investigation on his own motion.

After the Ombudsman sent his notice of intent to investigate, some units of the facility returned to normal functioning in January 2003 after being on “lock down” for over three months. Three other units remained on “lock down” for an additional three months.

Our investigation revealed that the private facility’s shower privacy walls had not been built to contract specifications and required repair. The delay in the facility returning to normal functioning resulted from a dispute between the facility’s builder and the Ontario Realty Corporation over who was responsible for repairing the walls. The facility could not make the necessary repairs without Ministry approval. The Ministry would not approve the repairs saying they were the builder’s responsibility. However, they agreed the facility’s staff could repair the privacy walls, if there was a security breach. The builder finally agreed to make the necessary repairs. Consequently, the remaining units were taken off “lock down.”

Our investigation also found the laundry supply was inadequate and did not comply with the facility’s standing orders. As a result of the Ombudsman’s investigation, a laundry officer was hired, a laundry tracking system set up and additional laundry supplies were ordered to ensure inmates were given the required laundry.

...

When a new adult correctional centre opened, the Ombudsman began receiving many complaints from inmates at the facility about health care and food services. The Ministry had transferred the responsibility for the operation of the facility through contract to a private operator. The private operator subcontracted the provision of health care and food services. The Ministry has a Contract Compliance Unit on site to monitor compliance with the Services Agreement between the Ministry and the contractor.

The Ombudsman initiated an investigation on his own motion into whether the Ministry was ensuring the facility was providing health care and food services in compliance with the terms of the Services Agreement with the private operator.

The Ombudsman's investigation identified a common theme of inadequate operating systems, coordination, planning and resources. During the course of the investigation, the Ministry and the private operator resolved several of the concerns that were identified. The Ombudsman issued a report setting out the results of his investigation and his recommendations.

In his investigative report the Ombudsman noted that, while the Ministry is now conducting regular reviews of health care services, those reviews were not initiated until his investigation had commenced and until the facility had been open for eight months. The Ombudsman was also of the view that the Ministry had failed to establish clear and comprehensive health care standards in a timely manner. The Ombudsman expressed concern that the Health Care Unit was not adequately staffed when the facility opened and that the Ministry had failed to adequately plan for dental and radiological services. The Ombudsman noted that the Ministry had not met its contractual obligations to provide resources for health care services and suggested that had there been better planning, these services could have been provided at the facility when it opened.

Our investigation found that in some cases it took up to six days for inmate requests to see a doctor to reach the Health Care Unit and another 10 days after the Health Care Unit received the request for an inmate to see a doctor. The Ombudsman noted that the Ministry had taken steps recently to address his concern regarding forwarding inmate requests to see a doctor to the Health Care Unit in a timely manner. However, the Ombudsman found that in other correctional facilities, inmates are seen within two to three days of submitting a request. He expressed the view that the standard of medical care available should not vary between privately and publicly run correctional facilities.

The process for dispensing medication at the facility is different from that used at other provincial correctional facilities. The Ombudsman stated he would monitor complaints regarding this process in future. The Ombudsman also identified instances when missed medication doses were not properly documented.

The Ombudsman expressed concern about the Ministry's planning for the implementation of food service at the facility, however, he noted that the Ministry had taken steps to ensure that inmates were provided with meals. He noted that efforts had been taken to improve meal service delivery and quality control but expressed the view that the Ministry should have ensured that adequate processes were in place when the facility opened and that written policies and procedures for inspection and documentation of meal quality and quantity should have been in place earlier. The Ombudsman identified problems relating to the systems in place for the distribution of specialized diets to inmates.

The Ombudsman noted that the Ministry was leaving it up to the private contractor to identify valid inmate complaints for the purpose of the Ministry's monitoring of contract compliance and that this might result in the Ministry being unaware of performance deficiencies. The Ombudsman recommended that the Ministry implement a comprehensive monitoring system as soon as possible based on predetermined performance standards to ensure that contractual obligations are met.

The Ombudsman made 14 recommendations. The Ministry accepted all of the Ombudsman's recommendations and either implemented or proposed steps to implement them. The Ministry committed to updating the Ombudsman on the status of implementation on a quarterly basis.

The investigation resulted in many positive changes. For example, the Ministry agreed to conduct regular audits of any facility in which health care services are provided under contract in a timely manner and to continue audits at the facility on at least a quarterly basis. The Ministry agreed that clear and comprehensive health care standards would be developed for the facility. The Ministry also agreed to address issues related to the provision of on-site radiological services. The Ministry noted that a new protocol was in place at the facility to ensure the timely delivery and response to requests from inmates to see a doctor. The Ministry also developed a clear definition of medication omission, which will require the contractor to send an Occurrence Report to the Ministry.

With respect to food services, steps were taken to address the Ombudsman's concerns about the provision of specialized diets to inmates at the facility and quality control measures were improved. The Ministry agreed that in the future when a new facility is opened it would have in place the required written policies and procedures for the inspection and documentation of meal quantity and quality.

The Ministry agreed to ensure that the contractor provides timely responses to requests for information and to implement a comprehensive monitoring system based on predetermined performance standards. It also explained that it developed a Contract Compliance Unit protocol manual, which sets out monitoring and reporting schedules to determine if the contractor is in compliance with its protocols.

Appendix E: Relevant Excerpts from the Prison Privatization Report International (PPRI)

<http://www.ppiru.org/ppri.asp>

Riot at MTC managed facility in Ontario (#49)

A riot at Central North Correctional Centre, the province of Ontario's only privately managed prison, occurred on 19 September 2002 (see PPRI #44,40,38,37,35,34 & 32). Around 100 prisoners using a battering ram were prevented from escaping and a cordon of armed Ontario Provincial Police (OPP) including the tactical rescue and canine units had to be stationed around the perimeter. The disturbance occurred in Pod 4, a 175 bed accommodation unit. The prison is managed by Management & Training Corporation (MTC) of Utah.

MTC stated that the riot started after prisoners refused to return to their cells. According to the police, prisoners were also armed with makeshift weapons and crude gas masks as they attempted to storm the facility. The 1,200-bed facility was subsequently in lock down as OPP and corrections officials carried out an investigation into the incident.

MTC non-compliance exposed #64

Management & Training Corporation (MTC) has been consistently in breach of its contract to operate the Central North Correctional Centre at Penetanguishene, Ontario (see PPRI # 61, 58, 49, 44, 38, 37, 35, 34 & 32).

A leaked internal MTC memo from the company's deputy of operations, Mr Phil Clough, to the facility administrator, Mr Doug Thomson, and seen by PPRI reveals that "we are in a situation where on a regular basis we are not in compliance with the contract."

A combination of government policies, poor planning, a failure to anticipate required tasks and an inability to recruit staff has "... tripled the staffing level and other unfunded tasks. This has resulted in huge overtime costs, a large dollar cost for police escorts and insufficient staff for significant searches."

Other extracts from the draft memo include:

- "The situation on a regular basis is that with the deployment of utilities to the units and on escorts there are numerous shifts where in fact there are no utilities available in the centre despite the large number of resources in the budget ... we are in a situation where on a regular basis we are not in compliance with the contract." [author's emphasis]
- "Searches are not being done in a systematic manner because these other demands give the appearance of a resource when in fact none is available."
- "Over hired staff are placed in utility positions to meet not funded tasks."
- "... the present shift schedule is an exercise in futility. It is not meeting needs, is inefficient, has staff on shift where they are not needed and insufficient staff where they are, doesn't meet the demands of community escorts particularly when inmates are admitted to hospital

and is creating alienation among the staff.”

- “We can’t get the staff we need (even at overtime rates) to cover posts. This will open us up to criticism from the CCU [compliance unit] and if there is a critical incident.”
- “Escorts: utilities are used for escort to the local hospital for medical treatment (emergency and routine tests). The ministry of labour ruling requiring that there be at least two trained staff and a driver or three correctional officers (if not trained in escorts) for each inmate was not anticipated in the original staff configuration and it is a huge drain on resources.”

Mr Clough also notes that, for the medical unit, “this area has significantly more staff coverage than the contract calls for. The workload in this area is much higher than anticipated in the contract. Reductions in this area would result in significant difficulties meeting medical standards ... there have already been safety issues raised by nursing and other medical staff...”

However, the document does not review staffing levels throughout the whole prison: “ ... the resources from not covering night shift have been deployed elsewhere (records staff, which are not covered by this review.)”

While noting that “the contract staffing plan has not been changed since the centre opened ...”

Mr Clough suggests a strategy to resolve these problems. This includes:

- “Certain functional supervisory positions need to be re-classified to correspond with the authority to carry out those job functions.”
- “ ... a budget and staffing model be developed which matches the actual cost of delivering the service to the client’s obligations and within the obligations of the contract ...” and that “ ... a pool of casual employees be hired in the CO start programme.”

Mr Clough also suggests asking the ministry for several variances in the contract but notes that “the CCU has stated that they are not going to approve any variances until the present situation in relation to contract hours is identified. We are not in compliance at the present time. We have more staff than the contract calls for but their deployment has created gaps which the union and the CCU are identifying as a non-compliance issue. An edited version of this document to the CCU should resolve that issue.”

He also reveals that an “outside consultant” has been commissioned but that he is “not aware of the number of staff [the consultant] stated would be needed”. Mr Clough is “... working on a new shift configuration, which I believe will address the issues and be acceptable to the staff.”

The memo was made public by the Ontario Public Service Employees Union (OPSEU) which represents the province’s publicly employed correctional officers. In 2002 OPSEU recruited the majority of the CNCC’s correctional officers and later signed a collective agreement with the company. Barry Scanlon of OPSEU referred to the MTC facility as “the Titanic.”

The local member of parliament, Garfield Dunlop, a supporter of private prisons, told the Midland Free Press, 3 September 2004, that: “If they aren’t conforming to the guidelines of the contract, the ministry should make them conform. There are ministry people in the prison. I’m surprised they would let this happen.” A company spokesperson told the Toronto Star, 1 September 2004, that: “at no point in time was public safety ever compromised. Public safety

and the safety of our staff is the number one priority at all times and that's why we do internal reviews."

Previously Mr Dunlop told the Midland Free Press that the MTC-run prison was saving provincial taxpayers about C\$26 million a year compared to the Central East Correctional Centre, a publicly run identically designed 'superjail' in Lindsay, Ontario. The government is carrying out a five year comparison of costs, regime provision and recidivism rates between the two. Neither Mr Dunlop's claim nor the comparative running costs have been confirmed by the government.

However, the Midland Free Press, 10 September 2004, reported that the MTC-run prison has 180 staff while the Central East Correctional Centre has "about 320." Prior to the leaking of the internal memo and the ensuing furore, on 23 August 2004 a spokesperson for MTC, Peter Mount, told the Midland Free Press that: "Our issue is not only money, but to perform within or to exceed contract standards, and that's what we strive for. We may operate [at a loss] to help society."

After having to fight for her son Ryan's well-being during his eight month incarceration at CNCC, Sharon Storing-Skillen formed Families Against Private Prison Abuse, (FAPPA). She told the Midland Free Press, 20 August 2004 that she has collected audio cassettes of conversations and legal pads full of mainly medical complaints from prisoners at CNCC. Meanwhile, an inquest into the death in August 2003 of former CNCC prisoner Jeffrey Elliot opened on 13 September 2004. Mr Elliot died of blood poisoning after being transferred from the prison to hospital three weeks after being wounded. An incident at CNCC on 4 September left two prisoners with stab wounds.

Utah-based MTC has a five year contract worth around C\$ 34.16 million per year at a daily spend of C\$79.45 per prisoner. The contract expires in November 2006. MTC also operates prisons in the US and has one contract in Australia. It has been negotiating for a contract in Costa Rica and has aspirations to run prisons in the UK (see PPRI # 62, 61, 52, 51, 49- 46, 42 & 38-36).

Appendix F: List of Media Stories Reviewed

“Death from cut at jail probed”, Toronto Star, September 4, 2003

“Inmate killed in private prison” Toronto Star, May 6, 2004

“Food, laundry top list of complaints: Inmate complaints to provincial ombudsman keeps office busy”, Midland Free Press, July 2, 2004

“A close look at Canada's first privately run prison: Inmates aren't fans, but local MPP says taxpayers should be” Midland Free Press, August 20, 2004

“Skillen recounts jail ordeal”, Midland Free Press, August 24, 2004

“Memo blasts CNCC staff issues” Midland Free Press, September 3, 2004

“Probe of Superjail death begins: Inmate died after cut on finger became infected”, September 14, 2004

Another inmate stabbed: Third superjail stabbing in about a month, Midland Free Press, October 15, 2004

“Former jail manager raises concerns”, The Mirror, February 3, 2006