

John Howard Society of Ontario re: Independent Review of Ontario Corrections Segregation Report

May 5, 2017

We, at the John Howard Society of Ontario (JHSO), want to commend Mr. Sapers and his highly skilled staff for a very thorough and comprehensive review. He and his staff have clearly gone to great lengths to provide a robust accounting of Ontario's segregation practices, policies, resources, and data.

We fully endorse the recommendations.

We also want to commend the Ministry of Community Safety and Correctional Services for appointing Mr. Sapers, one of the country's experts on corrections. The Ministry should also be commended for what appears to be a strong commitment to change. We believe that the Ministry understands that the status quo is unacceptable and significant reform is needed.

We are hopeful the Ministry will adopt all of Mr. Sapers' recommendations in the Report.

The Ministry has already committed to two key investments flowing from the Report:

- Legislation that will redefine segregation based on conditions of confinement and international standards. This is an important commitment. New law may help structure and standardize practices, as well as provide a mechanism for accountability. We are hopeful that the Ministry adopts Mr. Sapers' recommendation to provide legislated limits for segregation placements.
- A new governance and independent oversight mechanism for corrections, including segregation. We are optimistic that independent oversight and governance mechanisms for corrections, including segregation, could elicit significant change. A focus on Independence (external to the institutions) and procedural rights must drive the substance, powers and form of any new model of oversight and governance.

The Report exposed what many in the justice community have noted for some time: shocking rates of segregation use on persons who have mental health issues and suicide alerts. We support the Report's recommendation that would prohibit the use of segregation on self-harming, suicidal, and diagnosed mentally ill individuals. In order for this to be realized, there must be robust and operative screening measures and data-sharing mechanisms in place for all institutions.

We provide two additional comments on the Ministry's plans for correctional reform.

We note the Ministry's commitment to new infrastructure, particularly the commitment to build new facilities in Thunder Bay and Ottawa. If a goal for this government is to reduce the numbers of individuals incarcerated, the building of entirely new jails must be approached with caution. The adage "if you build, they will fill it" is apt in a corrections environment.

Last, we are encouraged by the Ministry's commitment to explore transferring oversight and the provision of health care from MCSCS to the Ministry of Health and Long-Term Care. JHSO has called for the shift in its publication [Fractured Care](#) and more recently as part of the [Correctional Health Care Coalition](#). We encourage the Ministry to continue to engage with stakeholders, and earnestly pursue this reform.