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STATEMENT

The John Howard Society of Ontario is deeply concerned that recent amendments to Ontario's Building Code removing minimum sleeping area requirements for incarcerated adults will worsen overcrowding in provincial jails. Previously, the Code required at least 4.7 square metres of sleeping space, per person, in adult correctional facilities. Eliminating this standard removes an important safeguard that helped ensure minimum living conditions in custody.

Nearly every provincial jail in the province is already operating beyond its intended capacity. Codifying reduced living space for incarcerated individuals does not solve this crisis. It risks entrenching it.

Overcrowding creates more challenging and less safe conditions for both incarcerated people and correctional staff. These conditions contribute to deteriorating mental health, increased disease transmission, heightened institutional tensions, and greater strain on already overburdened facilities. None of these outcomes support rehabilitation, and many people leave custody in worse condition than when they entered.

Ontario's jail overcrowding crisis is not an inevitability, and options such as "triple-bunking" are not the solution. More than 80% of people in Ontario's provincial jails have not been convicted of a crime and are awaiting trial. Many are there not because they pose a public safety risk, but because they are struggling with homelessness, poverty, mental health challenges, or substance use issues.

Rather than adding more people to overcrowded jails, Ontario should invest in proven solutions that reduce the remand population safely and effectively. Bail supervision programs and community-based bail beds are widely recognized as cost-effective tools that improve public safety, ease pressure on courts and correctional institutions, and address overcrowding at its source.

By changing the Building Code to accommodate overcrowding, the province risks accepting overcrowding as the norm instead of solving it. We should be investing in upstream solutions that reduce the number of low-risk people unnecessarily held in custody, which will ultimately help create safer communities. For those who need to be detained, humane conditions in correctional facilities are not separate from public safety; they are fundamental to it.

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