

THE HONOURABLE KIM PATE
SENATOR FOR ONTARIO



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SÉNATRICE DE L'ONTARIO

SENATE | SÉNAT
CANADA

From: Senator Kim Pate
Date: November 5, 2018
Re: Impact and Implications of Bill C-83

On October 16, 2018, the Public Safety Minister tabled Bill C-83, the government's proposed amendments to the Corrections and Conditional Release Act. When introduced, Bill C-83 was described as:

1. ending the practice of segregation by the Correctional Service of Canada and
2. the government's response to the recommendations of the jury regarding the death by homicide of Ashley Smith.

In my respectful opinion, it is neither.

October 19, 2018, marked the 11th anniversary of the preventable death of Ashley Smith in Grand Valley prison for women. Ashley was 19 years old serving a cumulative sentence of 6.5 years when she died. All of those sentences were accumulated as a result of charges laid against her while in prison. When she died in what the coronial jury ruled a homicide, she had been charged, pleaded guilty and sentenced to additional prison time for more than 100 new charges, been transferred from the youth to the adult prison system, where she was moved 17 times, isolated and segregated and her mental health issues were never diagnosed, but were treated as behavioural issues throughout the approximately 11 months that she was in the custody of the Correctional Service of Canada.

On December 19, 2013, the coroner's jury also recommended ending the use of segregation and using peer supports and advocates, as well as transfers to community-based versus prison-based mental health services.

The attached table compares Bill C-83 with the current legislative provisions of the Corrections and Conditional Release Act. The first column provides the existing

provisions of the CCRA. The second outlines the provisions proposed in Bill C-83. The third column consists of some explanatory comments regarding the implications of the proposed changes to the legislation.

Please let me know if there is any manner in which I may assist. your consideration of this bill.

Many thanks and all the best, Kim