

**Transforming Canadian Corrections:
Addressing Punitive Practices in Federal Prisons to
Foster Rehabilitation for Inmates with
Mental Health Conditions**

**By
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Ethics Statement

The author, whose name appears on the title page of this work, has obtained, for the research described in this work, either:

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Abstract

This study examines the negative effects of punitive policies on the rehabilitation of vulnerable inmates within Canada's federal correctional facilities. Interviews with ten experts suggest that inmates with mental health conditions often receive more systematic punishment than the rest of the prison population, resulting in decreased possibility for rehabilitation opportunities. This research study recommends implementing enhanced research, accountability, and monitoring to address this issue. This policy solution involves engaging external organizations to research and publicly report on current practices within prisons, aiming to enhance transparency. Additionally, a more active role from Correctional Service Canada staff is required to improve accountability and monitoring and to reduce punitive measures. Next steps include collaboration from Correctional Service Canada, the Office of the Correctional Investigator, and Public Safety Canada to transform current penal practices. This transformation can foster a rehabilitative environment in which inmates with mental health conditions receive fair treatment and appropriate supports.

Keywords: Correctional facilities; punitive measures; inmates; rehabilitation; penal practices; mental health

“It is a fact that most people in Canada’s federal correctional system will regain their freedom. Simply warehousing them does not assist in their rehabilitation, particularly when they are held in an environment where it appears their human rights are not always respected.”

- Senator Jane Cordy, Deputy Chair of the Standing Senate Committee on Human Rights, 2019

“Witnessing the conditions in federal penitentiaries is a profound experience. We heard many accounts of racist and discriminatory behaviour toward vulnerable and marginalized groups in the criminal justice system. There is work to be done to ensure basic human rights in the corrections system.”

- Senator Wanda Thomas Bernard, Deputy Chair of the Standing Senate Committee on Human Rights, 2019

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List of Acronyms

CCRA	Corrections and Conditional Release Act
CSC	Correctional Service Canada
MCA	Multi-Criteria Analysis
OCI	Office of the Correctional Investigator
SFU	Simon Fraser University

Glossary

Correctional Service Canada	Correctional Service Canada (CSC) is the body responsible for managing all federal correctional institutions of various security levels and supervising offenders under conditional release in the community.
Mental Health Conditions	Mental health conditions refer to all individuals who have been either diagnosed or undiagnosed with a mental disorder that significantly alters thinking, emotions, and/or behavior and causes distress and/or problems functioning with day-to-day activities.
Office of the Correctional Investigator	The Office of the Correctional Investigator (OCI) ensures the fair and humane treatment of persons serving federal sentences. This is accomplished by drawing attention to human rights obligations and holding the CSC accountable for administering federal corrections in a way that is compliant to law, policy, and fair decision-making.
Prisoner Rehabilitation	Prisoner rehabilitation is the process of effectively guiding individuals with a criminal background back to a state of normalcy, equipping them for successful reintegration into society, and ultimately aiming to decrease recidivism rates.
Punitive Measures	Actions intended to inflict, involve, or aim to incur punishment of some kind (e.g. structured intervention units).

Executive Summary

This study explores how the excessive use of punitive measures in the Canadian federal penal system undermines the effective rehabilitation of inmates - especially those living with mental health conditions. These findings are troubling, as the use of punitive penal practices tends to exacerbate criminal behavior, worsen overall conditions for all inmates, and lead to recidivism. This paper employs qualitative research methods to examine these concepts and propose recommendations for enhancing outcomes for inmates facing mental health conditions by reducing punitive measures.

This study conducts a review of literature and examines correctional practices in other jurisdictions. Penal practices in the U.S. and Finland are compared to the status quo in Canada and analyzes ways in which other regions have adopted more progressive penal process to enhance prisoner rehabilitation. Comparative observations are made regarding current legislation for vulnerable inmates, mental health services and educational programming, and oversight bodies.

Research data is obtained through interviews with ten subject experts, including academics and staff with previous and current experience in correctional facilities. The interviews support the existing literature on this topic and suggest that the increased use of punitive measures on inmates decreases rehabilitation and outlines why punitive measures are consistently overused. The primary areas discussed include: 1) Key factors contributing to unsuccessful rehabilitation, 2) Personnel training and culture, 3) Mental health services, programs, and vocational training, and 4) Monitoring within federal facilities. Interviews were transcribed and analyzed to identify thematic patterns, recurring themes, and narratives using NVivo software.

A multi-criteria analysis (MCA) is utilized to assess the viability of three possible reform options solutions:

- 1) Enhancing mental health training to improve staff awareness and proper care of inmates with mental health conditions.
- 2) Increased research, accountability, and monitoring to enhance oversight and transparency within correctional facilities to ensure equitable treatment of inmates.

- 3) Expanding mental health services and vocational programs to support inmate rehabilitation and reintegration.

These three options are evaluated according to four criteria, including: (1) Effectiveness; (2) Equity; 3) Cost; and 4) Feasibility. The analysis suggests increasing research, accountability, and monitoring within prisons as the most effective, feasible and best option to reduce punitive practices and improve rehabilitation. This option also increases transparency practices and the humane treatment of inmates, aligning with both societal values and governmental objectives.

The paper concludes by underscoring the need to generally shift Canada's penal system culture away from punishment and toward rehabilitation. This can be accomplished by implementing the recommended policy option as well as a broader suite of reforms to create a more equitable, and effective correctional system to provide inmates with the proper mental health supports. Next steps include a collaborative effort involving Correctional Service Canada, the Office of the Correctional Investigator, and Public Safety Canada to alter and improve existing federal facilities.

This study also suggests areas for further research, including longitudinal studies on the impact of increased monitoring, experiential analysis of specific vulnerable inmate populations, and exploring increased collaboration between stakeholders. Lastly, it stresses the importance of ongoing advocacy and public education to garner public support for transformative penal change.

Chapter 1.

Introduction

Human rights abuses are all too common within Canadian prisons while rehabilitation efforts often fall short of what could be achieved within these important national institutions. Rehabilitation-centred prisons uphold the idea that every individual behind bars deserves an opportunity for change, regardless of their circumstances. Currently however, this ideal is seldom achieved. The research objective of this study is to identify policies that will lead to better outcomes for inmates in Canadian federal prisons, especially those living with significant mental health issues.¹

Genuine rehabilitation in prison involves utilizing various methods, such as training, therapy, and re-education, to address underlying issues related to imprisonment. Yet, many of the programs intended for rehabilitation in Canadian facilities are unsuccessful at yielding positive outcomes for inmates and frequently result in exacerbating criminal behaviour (Luna, 2017). Reports consistently find that Canada's penal system is "not only failing at rehabilitation, but it is making things worse" as "more than 40 percent of all inmates are likely to be involved with the criminal justice system within two years of release, and 25 percent will be convicted with a new offence" (Ling, 2021).

Furthermore, research repeatedly demonstrates punitive methods do not effectively alter behavior or contribute to rehabilitation yet remain a key practice within Canada's prison system (Luna, 2017). As a result, the overuse of punishment in Canadian federal prisons negatively impacts prisoner rehabilitation, especially for vulnerable inmates.² Inadequate or ineffective practices within the Canadian system has

¹ This project received minimal risk approval from the SFU Office of Research Ethics by an authorized delegated reviewer in November 2023.

² The terms "prisons" and "correctional facilities" are employed interchangeably. Although traditionally, "prison" denotes a facility for holding convicted criminals, and "correctional facility" often refers to a prison emphasizing rehabilitation, both terms are utilized interchangeably in most Canadian literature and will be treated as such within this paper.;

"Vulnerable inmates" are individuals who are unable to protect himself or herself from abuse, neglect, or exploitation because of a mental or physical impairment when housed with the general prisoner population.

resulted in inhumane conditions for prison inmates (Macdonald, 2016): including overcrowding in cells, limiting access to healthcare and food, restricting recreational time, and increasing time in structured intervention units (previously known as solitary confinement). All these practices create mental and physical safety concerns for inmates (Zinger, 2022). Worryingly, the Canadian correctional system has been described by leading researchers as the 'new Residential School' (Macdonald, 2016) due to the abhorrent conditions. Criminologists repeatedly report Canadian prisons to be antiquated, inhumane and violent (Ling, 2021), and failing to provide adequate rehabilitation represents profound failures in Canadian society. The punitive tactics utilized in prisons create a complex intersectional set of policy issues as academics and policymakers alike continue to advocate for a progressive correctional system that supports genuine rehabilitation.

The excessive use of punishment in prisons exacerbates the systemic targeting of vulnerable individuals within the penal system in Canada, which is one of the most urgent criminal justice reform issues facing policymakers today (Ling, 2021). Expert interviews suggest vulnerable inmates, particularly those with mental health conditions, are more often subjected to harsh punitive policies and as a result this decreases inmates' chance of successful rehabilitation.³ Additionally, this research aims to identify the gaps in the dialogue on reducing punitive measures and effective rehabilitation practices while providing a concrete policy option for implementation. While a vast amount of literature exists acknowledging the ongoing abuse of punitive measures towards vulnerable inmates, realistic options for reform are scarce. There are varying levels of change proposed in correctional settings dependant on factors such as rehabilitation methods, jurisdictional differences, and opposing views from academics

³ "Mental health conditions" refers to all individuals who have been either diagnosed or undiagnosed with a mental disorder that significantly alters thinking, emotions, and/or behavior and causes distress and/or problems functioning with day-to-day activities.;

"Vulnerable inmates" is used interchangeably with "inmates with mental health conditions." While this paper specifically addresses inmates with mental health struggles and not inmates who may have other conditions which may deem them as part of a vulnerable population, the term "vulnerable inmates" is chosen for its inclusive nature, encompassing inmates with mental health conditions as a subset of a vulnerable population. It is acknowledged that "vulnerable inmates" can refer to a broader range of individuals beyond those with mental health issues, but for the scope of this paper, it will only denote those with mental health conditions.;

While this report will encompass all incarcerated individuals with mental health conditions, including those who also have substance use disorders, it will not specifically focus on examining inmates with substance use disorders as a separate subgroup.

and policymakers with differing beliefs and research backgrounds. Thus, this paper examines the research question: How can criminal policy reform effectively address the excessive use of punitive measures in Canada's federal correctional facilities, which negatively impacts rehabilitation outcomes for inmates with mental health conditions?

Chapter 2.

Background

2.1. Overview of Canadian Federal Prisons

Correctional Service Canada (CSC) is responsible for managing all inmates within Canadian federal correctional facilities. There are 58 federal correctional institutions in Canada, consisting of either minimum, medium, or maximum-security prisoners with a total of 33,000 individuals incarcerated in these facilities in 2022 (Statistics Canada, 2024). On average Canadian federal prisons exceed the maximum suggested occupancy at 102 percent (World Prison Brief, 2024). These statistics indicate overcrowding in federal facilities which results in a lack of necessary provisions for inmates, lowered rehabilitative opportunities, and an increase in the likelihood of violence and death (Penal Reform International, 2022).

In many countries overcrowding is used as a tool by institutions to purposely punish inmates by unevenly distributing prisoners within a prison which has been deemed as a cruel, inhumane, and degrading tactic (Albrecht, 2012). Some academics have noted that overcrowding, sometimes referred to as “chronic capacity stress” is one of the most common issues in prisons globally, and while there is “widespread unanimity that it undermines and disrupts the system of rehabilitation” it persists through most prison systems (Bastow, 2012).

In Canada, overcrowding appears to be both intentional and unintentional depending on the resources available to individual facilities, but in either case is still identified as a form of punishment. These issues often also prompt an increase in punitive measures towards inmates aimed at establishing and maintaining a 'controlled environment' (Penal Reform International, 2022) (Albrecht, 2012). Additionally, while the annual expenditure on each inmate in Canada is approximately \$190,000 (Statistics Canada, 2024), incarcerated individuals do not receive the equivalent value in provisions for living conditions, resulting in deteriorated conditions and a lack of inmate rehabilitation programs (Piché, 2014).

2.2. Overview of Prison Population and Vulnerable Inmates in Canada

Inmates with mental health conditions in Canadian prisons regularly endure harsher conditions compared to other inmate populations. Literature examining the challenges confronted by inmates in Canadian facilities consistently highlights persistent human rights abuses targeting vulnerable inmates (Law Insider, 2022). Canada’s correctional system has seen a dramatic rise in the number of vulnerable inmates, with 38 percent of all new admissions to Canadian facilities reported to have a history or current diagnosis of psychological issues (Public Safety Canada, 2013). The literature emphasizes that vulnerable inmates, specifically those with mental health conditions have an increased risk of victimization by fellow inmates and prison staff and are less capable of avoiding precarious situations and/or reporting instances of victimization (Ellison et al., 2018). This makes inmates with mental health conditions even more “susceptible, vulnerable, and attractive for fellow inmates who may wish to harm them; and to correctional staff who attempt avoiding disciplinary actions” for using punitive measures (Ellison et al., 2018).

Vulnerable inmates also disproportionately experience use of force. The Office of the Correctional Investigator (OCI), the oversight body for all CSC facilities, reports over 40 percent of “use of force interventions involves inmates with a mental health issue identified or documented (Zinger, 2018). Additionally, the OCI stated that it is “unsure if the 1,345 use of force incidents recorded by CSC in 2017 were managed lawfully, and in accordance with the principles of restraint, proportionality and necessity” (Zinger, 2018). Moreover, punishment, whether through the use of force or as disciplinary action, is frequently used in prisons to discourage future misconduct. Academics repeatedly urge that this goal is clearly misplaced when individuals with mental health conditions have no meaningful control over their conduct (Steadman et al., 2009). Punitive measures are disproportionately applied to vulnerable inmates to compel compliance with the strict policies governing proper inmate conduct within facilities (Steadman et al., 2009).

Additionally, given the importance of conduct records in prisons, prisoners with mental health conditions often serve the entirety of their maximum sentences as their condition frequently results in non-exemplary actions that is then permanently applied to their prison record (Houser et al., 2019). Due to these existing disciplinary records, these

prisoners also face heightened risks of parole denial when appearing before a parole board (Houser et al., 2019). The extensive academic literature on punitive measures in prisons collectively highlights the unacceptable and excessive targeting of vulnerable inmates through existing policies and underscores the urgent need for reform.

In its efforts to safeguard vulnerable inmates, CSC utilizes the Engagement and Intervention Model. This model is designed as a "risk-based model intended to guide both security and health activities to prevent, respond to, and resolve incidents using the most reasonable interventions." CSC guarantees this model will:

... take into consideration the inmate's mental and/or physical health and well-being, as well as the safety of other persons and the security of the institution; when possible, promote the peaceful resolution of the incident using verbal intervention and/or negotiation; be limited to only what is necessary and proportionate; and take into consideration changes in the situation through the use of continuous assessment and reassessment.

There are instances when communication strategies and conflict management may not produce the expected outcome, such as when the inmate appears to be under the influence, or the inmate's mental state is at a point where they are not able to comprehend the direction or communication from staff. In these cases, where possible, institutional health care staff should be consulted immediately. (Correctional Service Canada, 2018)

However, despite the clear guidelines provided by these directives for handling vulnerable inmates, the implementation, and practices within correctional facilities in Canada do not consistently align with these expectations. A report released by the West Coast Prison Justice Society and Prisoners' Legal Services found that CSC officers repeatedly use punitive measures in "response to prisoners in emotional distress and as a tool to coerce compliance, even when there is no immediate risk to safety" (Metcalf, 2019). Furthermore, the report also examined the role of medical professionals within correctional facilities, who complete routine well-being checks. They found that "policies fail to ensure prison medical staff meet their ethical obligations to act with undivided loyalty to their patients and to document and report signs of ill-treatment" (Metcalf, 2019). This is another failure of the current system and a result of inadequate oversight of the most vulnerable inmates in prisons.

These instances of excessive use of punitive measures toward vulnerable inmates are not isolated incidents and are commonly documented in Canadian courts

and literature. An illustration of this issue occurred in February 2024 during a case brought before the Canadian Human Rights Tribunal involving a formerly incarcerated Two-Spirit and transfeminine inmate who claims that CSC “discriminated against them on the basis of gender identity, and mental disabilities during their time in a federal prison” (West Coast Prison Justice Society, 2024). They claim that they were forced to spend “extended periods of time isolated in Structured Intervention Units” for periods up to “181 consecutive days” (West Coast Prison Justice Society, 2024). Prison reform activists frequently advocate for the CSC to amend its policies to align with the *Canadian Human Rights Act*, citing violations based on the practices routinely employed within prisons (West Coast Prison Justice Society, 2024). The continued use of discriminatory punitive practices within Canadian prisons illustrates the limitations with existing policies intended to protect vulnerable inmates. This necessitates a movement away from the status quo and towards implementing policies that consider inmates' diverse mental needs while directly assisting with rehabilitation.

2.3. Overview of Current Rehabilitation Practices in Canada

This section examines current rehabilitation practices for vulnerable inmates. The literature continually emphasizes that Canada’s existing rehabilitation practices are insufficient in adequately supporting inmates with mental health conditions. A common perspective on progressive rehabilitation methods in prisons suggests vulnerable individuals experiencing humane detention conditions are more likely to engage and benefit from rehabilitative programs (Penal Reform International, 2022). Those experiencing punitive conditions and mistreatment on the other hand are “much more likely to return to society psychologically shattered and in poor or worse state of physical and mental health than when they entered” (Penal Reform International, 2022).

The initial challenge in recognizing the shortcomings of rehabilitation efforts for vulnerable inmates in Canada lies in the absence of statistics and records detailing individual inmates' experiences within prison and throughout the rehabilitation journey. Moreover, the lack of such information makes it challenging to gauge the effectiveness of rehabilitation efforts for these inmates, given the varying treatments they may receive. As a result, recidivism – and not rehabilitation methods in prisons - often serves as the primary measure for assessing successful inmate reintegration into society post-sentence completion. The data from Canada indicates that despite rehabilitation efforts

inmates with mental health conditions have high reoffending rates with almost 60 percent experiencing increased chances of reincarceration (Barrenger et al., 2021). More specifically, vulnerable inmates who may be given “predominance of concentrated efforts to direct those involved in the criminal legal system to behavioral health services as a way to reduce recidivism” remain “highly likely to either reincarcerate, reoffend or be charged with a technical violation” upon release from prison (Barrenger et al., 2021). Despite attempts to offer mental health services to aid in rehabilitation, the current penal system in Canada falls short in supporting vulnerable inmates effectively. The literature underscores that the absence of specialized mental health care presents a significant “barrier to the person’s ability to engage in successful correctional rehabilitation” and as a result will likely “increase the risk of incidents [resulting in punitive treatment] in prisons” (Simpson & Jones, 2018).

When looking at the services and programs offered to inmates within Canadian facilities, the Corrections and Conditional Release Act (CCRA) created in 1992 is the key legislation outlining health care services offered in federal facilities under the responsibility of CSC. Section 86 of the CCRA states that health care services must include “reasonable access to essential mental health care that will contribute to the inmate’s rehabilitation and successful reintegration into the community” (Scallan et al., 2019). However, the services deemed to be ‘essential’ are at the discretion of CSC, and mental health services are often given less priority from physical health services (Scallan et al., 2019). Additionally, Canada’s description of essential mental health services as outlined in the CCRA suggests that “rehabilitative services are only deserved by those inmates who will at some point be ‘reintegrated into the community’” (Scallan et al., 2019), thereby limiting mental health support for inmates in medium and maximum-security facilities, or for those who are repeatedly denied bail in some instances due to mental health conditions. Lastly, in 2014, CSC experienced funding cuts which affected “staffing levels and the programs available in federal penitentiaries... [and since then] community partners, have increasingly been forced to absorb federal offenders into support programs for addictions and mental health” (Neufeld, 2022). To make matters worse, since 2014 “there [has] been no funding from the federal government for the programs in which [vulnerable inmates] so heavily rely for positive reintegration outcomes” (Neufeld, 2022).

However, it is important to highlight that federal Canadian facilities do provide certain services and programs for vulnerable inmates. Federal facilities offer specialized care units intended for “inmates dealing with mental health issues who are unable to function adequately in general offender populations, but do not require hospitalization”, as well as the Institutional Mental Health Strategy implemented by CSC in 2004 which focuses on intake screening for inmates with mental health conditions arriving at federal facilities (Simpson et al., 2013). Federal facilities also have a program that develops individualized plans for inmates through a Primary Mental Health Care Team to assist with inmate’s unique needs. Each of these services provide rudimentary mental health care services (Simpson et al., 2013). Moreover, federal facilities offer programs aimed at enhancing inmates' life skills, managing anger, addressing substance use, and providing basic educational and vocational training (Welsh & Ogloff, 2003). The skills gained through “social skills training” enable mentally ill inmates to “better adapt and cope with daily life, thus ameliorating the impairments caused by mental illness” (Welsh & Ogloff, 2003).

There are barriers however, to providing the basic health care services, which include “poor recruitment and retention of mental health professionals, inadequate bed space at specialized care units, lack of funding for mental health programs, and under-utilization of clinical management plans to treat high-needs mentally disordered offenders”, as well as a prison culture that has an over-reliance on punitive measures to manage offenders with mental health conditions (Simpson et al., 2013). The literature delineates that the absence of comprehensive mental health care services provided in Canadian federal institutions can partly be attributed to the weak legislation outlined in the CCRA and the lack of comprehensive programs available to inmates to improve mental health through meaningful programs.

When it comes to protecting vulnerable inmates and ensuring proper rehabilitation practices through monitoring, this is primarily overseen by just two entities: the CSC and the OCI. The CSC, led by the Commissioner of Corrections, directly reports to Public Safety Canada. And while the CSC handles day-to-day monitoring within correctional facilities, the OCI offers additional oversight responsibilities. The OCI is:

...mandated by Part III of the Corrections and Conditional Release Act as an independent Ombudsman for individuals under the custody or supervision of the CSC. The primary function of the Office is to investigate

and bring resolution to individual complaints under its jurisdiction. The Office as well, has a responsibility to review and make recommendations on the Correctional Service's policies and procedures associated with the areas of individual complaints to ensure that systemic areas of concern are identified and appropriately addressed (Office of the Correctional Investigator, 2023).

In addition to responding to individual complaints, the OCI meets regularly with incarcerated persons' committees and other organizations and make regularly scheduled announced visits at each institution during which an investigator will meet with any individual or groups upon request. The OCI's mandate is "purposefully broad" and aims to conduct "investigations into the problems of offenders related to decisions, recommendations, acts or omissions of the Commissioner (of Corrections) or any person under the control and management of CSC..." (Office of the Correctional Investigator, 2023). Furthermore, in accordance with Section 192 of the Corrections and Conditional Release Act, the OCI is responsible for creating and disseminating the Annual Report and any Special Reports to the Minister of Public Safety which details areas of complaints from inmates within facilities and long-standing issues that have not been addressed by CSC. It is imperative to note that while the OCI serves as the primary oversight body for Canada's correctional facilities, it lacks the authority to mandate changes within facilities under the control of CSC. The annual reports provide recommendations for implementation, but they do not compel action from CSC.

2.4. Status Quo Summary

In summary, the current situation for inmates with mental health conditions in Canadian correctional facilities is characterized by harsh conditions and enduring disproportionate levels of human rights violations. Despite legislation that attempts to safeguard vulnerable inmates, reports reveal systemic failures in its implementation, leading to discriminatory practices and inadequate mental health care. Rehabilitation efforts for vulnerable inmates are insufficient, with punitive conditions hindering successful reintegration into society, and notably high rates of recidivism among those with mental health conditions. This is exacerbated by funding cuts and limited access to essential mental health services and programs aimed at enhancing an inmates' rehabilitative opportunities.

As a result, the status quo appears unsustainable. When examining federal facilities from a policy perspective, they are ineffective in rehabilitating inmates, inequitable for vulnerable inmates, cost-prohibitive, and fail to meet the expectations of most stakeholders. Consequently, it is not feasible to propose the continuation of the current system without significant changes. Maintaining the status quo in prisons is not a viable policy approach to tackle the excessive use of punitive measures against inmates, a matter that will be explored in further sections of this report when examining practical policy solutions.

Chapter 3.

Jurisdictional Scan

This chapter examines the diverse approaches adopted by the United States and Finland concerning inmates with mental health conditions and rehabilitation practices. Penal reform in the U.S. and Finland includes legislative measures to protect vulnerable inmate populations, establishment of mental health services and specialized programs, and rigorous oversight within correctional facilities. Punitive policies in prisons globally show minimal variation across jurisdictions as they typically establish clear guidelines for punishments aimed at enforcing conformity among vulnerable inmates. However, the actual implementation of these policies often deviates from their intended directives and mandates. Additionally, mental health services and programs globally exhibit inconsistencies, emphasizing the need for more comprehensive approaches.

Nevertheless, the positive penal methods utilized in the U.S. and Finland reflect the variations in current correctional practices and underscore the necessity for policy reforms in Canadian institutions. A comparative analysis with the U.S. is conducted due to frequent comparisons with Canada's correctional systems, and Finland is chosen for its notable rehabilitation practices often cited in literature and expert interviews. The approaches examined offer a rich array of potentially adaptable solutions for Canada's correctional facilities.

3.1. The United States

3.1.1. Overview of Legislation for Vulnerable Inmate Populations

In the United States, the federal standards on inmate discipline are set by the Department of Justice in the *Federal Standards for Prisons and Jails*, and are intended to provide guidance to federal, state, or local correctional systems. The standards specify that prisoners are provided with "humane and healthful living conditions, safety from harm including protection from punitive or excessive force" (Office of Justice Programs, 1980). However, the standards - as set in 1980 and only marginally updated since - do not explicitly address accommodations for individuals with mental or physical

ailment (Reece & Marcum, 2020). Moreover, "disruptive behavior" is deemed punishable under Federal standards, and there is no formal acknowledgment in the policies that recognize that "inmates with mental illness are more prone to such behavior than other prison populations" (Reece & Marcum, 2020).

As previously outlined, vulnerable inmates often struggle to control their behavior due to their diminished mental state. Despite vulnerable inmates making up 14 percent of all federal U.S. inmates (Reece & Marcum, 2020), a lack of federally regulated standards to protect inmates who suffer from mental and physical health issues, led the United Nations to condemn U.S. prisons, stating that the use of 'discipline' through detention and segregation amounted to "little more than a euphemism for psychological torture" for inmates with mental health conditions (Godvin, 2022). This data illustrates the limitations with existing policies and legislation in the U.S. that may be intended to provide guidance on practices within prisons but continue to result in the over-reliance on punitive measures.

3.1.2. Mental Health Services and Vocational Programs

It is important to highlight that in recent years, jail diversion programs have gained popularity in certain states across the U.S. as a method to reduce the incarceration of individuals with mental health conditions (Johnston, 2017). While the primary objective of these programs is to "focus on restorative justice and provide appropriate sentences for individuals with mental health disorders", they also aim to help vulnerable inmates avoid inhumane treatment while in prison (Johnston, 2017). While these programs offer hope for vulnerable inmates in the U.S. who experience excessive punitive measures, their widespread implementation remains unlikely.

The U.S. also offer inmates fundamental mental health services to support rehabilitation, in the form of psychiatric care, one-on-one visits with mental health professionals, and substance abuse and mental health treatment programs (Ortiz & Jackey, 2020). The evidence based mental health services offer inmates the opportunity to take part in individual and group therapy sessions, to "assist the incarcerated person to confront negative events in their past and become empowered through trauma-based strategies" (Ortiz & Jackey, 2020). However, while inmates have a constitutionally guaranteed right to healthcare, "most prison health systems are both underfunded and

understaffed, causing the care these individuals receive to be sporadic” and as traditional correctional settings are “designed for punishment, incapacitation, and deterrence”, this conflicts with the objectives of healthcare (Becker & O’Connell, 2020).

Beyond health care services, inmates have the chance to engage in correctional education programming. Some U.S. prisons have cited studies that “indicate a clear link between low educational attainment and engagement in criminal behaviour” within prisons, which has led to the implementation of prison-based programming in the form of basic adult education, college coursework, and vocational training for vulnerable inmates (Ortiz & Jackey, 2020). U.S. studies repeatedly support these forms of programming, citing that inmates with mental health conditions who participate in the prosocial activities offered in correctional facilities “reduce misconduct or behaviour considered as ‘acting out’ and improve the employment opportunities for inmates’ post-incarceration” (Ortiz & Jackey, 2020). Some U.S. prisons also offer life skill programs which improve the quality of life for incarcerated individuals, by offering the skills necessary to “develop and maintain social bonds with families, employers, friends, and the community, which are vital to their successful reintegration” (Ortiz & Jackey, 2020). However, despite the promising data on programming in U.S. facilities, educational opportunities within prisons remain severely limited (Ortiz & Jackey, 2020). Most educational programs in federal facilities focus solely on general education diplomas, with the added challenge of inmates often having to finance their own studies and training beyond obtaining generalized diplomas (Ortiz & Jackey, 2020).

3.1.3. Oversight Practices

The U.S. currently lacks any oversight body for its federal prisons. Since 2010, there has been growing advocacy for establishing such a body to monitor the operations of federally managed facilities and in May 2023, the Federal Prison Oversight Act was introduced to the Senate. This bill establishes an “inspections regime” for federal facilities and requires the Department of Justice to conduct “risk-based evaluations” of facilities under the management of the Bureau of Prison (S.1401 - 118th Congress (2023-2024), 2023).⁴ Additionally, if passed, this act would establish an independent

⁴ The Bureau of Prisons is the organization responsible for the management of all inmates within federal correctional facilities in the U.S. It holds a similar role to that of CSC in Canada.

ombudsman, similar to the OCI in Canada. The ombudsman would receive complaints from inmates, recommend necessary actions, and conduct routine inspections of any facility, either announced or unannounced (S.1401 - 118th Congress (2023-2024), 2023). It is noteworthy that select state-operated prisons in the U.S. are equipped with independent oversight agencies. However, because these agencies operate independently and have different mandates from state to state, there is significant variation in monitoring practices. Furthermore, comparing the oversight practices of state-operated prisons in the U.S. to federally managed facilities in Canada is challenging due to differences in the scope of operations. The absence of a federally mandated oversight body suggests accountability within facilities operated by the Bureau of Prisons cannot be consistently monitored, leading to unsafe conditions for inmates and lessened rehabilitation opportunities (Deitch, 2021).

3.1.4. Comparative Analysis

Upon comparing the current correctional environments in the Canada and the U.S., Canada's legislation for vulnerable inmate populations explicitly acknowledges the need to consider mental and physical conditions within prisons, while the U.S. standards lack this specificity. Regarding mental health services and programs tailored for inmates with mental health conditions, the U.S. demonstrates greater advancement through initiatives such as jail diversion programs and sentencing considerations for pre-existing mental health conditions. Moreover, the U.S. offers numerous vocational programs aiding inmates in their reintegration into society, presenting a valuable model for Canada. However, in terms of oversight practices, Canada holds an advantage with the existence of an oversight body in federal institutions, which is lacking in the U.S. By examining the strengths and weaknesses of the U.S. penal system, and comparing them with Canada's, the most effective global policies can be identified to assist with reformation in Canada's penal system and decrease the reliance on punitive measures.

3.2. Finland

3.2.1. Overview of Legislation for Vulnerable Inmate Populations

In Finland, federal regulations on punitive measures are significantly more restrictive compared to other global policies. In instances where punishment and use of force is:

...necessary and justifiable the importance and urgency of the task, the dangerousness of the resistance, the resources available, and any other issues affecting the overall assessment of the situation must be taken into consideration. Instruments of force may only be used by public officials who have received relevant training.” (Imprisonment Act, 2022).

Additional policies state that “a healthcare professional must be notified without delay when a prisoner is placed in isolation” or faces “any punitive measure that could affect their mental and physical well-being” (Imprisonment Act, 2022). The Health Care Services for Prisoners is responsible for “providing healthcare services, medical treatment and medical rehabilitation in accordance with the medical needs of prisoners ... and all prisoners must have access to treatment and rehabilitation” which significantly benefits vulnerable inmates who positively affected by these policies (Imprisonment Act, 2022).

Furthermore, Finland is renowned for its open prison system, where inmates have the freedom to move within designated prison areas in an open institution and are not confined to a prison cell (Myllyla, 1990). Inmates are only transferred to a closed system institution if they attempt to leave the open prison setting. One study examines the Finnish penal system of “gentle justice” and compared it to Western countries punitive penal systems, noting that Finland has maintained low rates of imprisonment since the implementation of this system in the 1960’s (Ekunwe, 2007). This study also finds that prison sentences that are “backed through methods of rehabilitation” rather than punitive measures, are undoubtedly more effective for vulnerable inmates (Ekunwe, 2007). While the Finnish penal system more comprehensively addresses the needs of inmates with mental and physical conditions through the policies and practices implemented in facilities, as well as the open prison system, it is crucial to highlight that instances of an excessive use of punitive measures are still reported in Finnish facilities. Lastly, research also cites that despite this more progressive system, there are instances of Finnish inmates experiencing worsening mental health conditions during incarceration (Sailas et al., 2005). This highlights the necessity for enhancing correctional facilities, even within more progressive nations like Finland.

3.2.2. Mental Health Services and Vocational Programs

All Finnish prisoners have guaranteed access to health care services under the Health Care Act and health care professionals must provide treatment no later than three days

after the initial request (Health Care Services for Prisoners, 2022). Additionally, any inmate that is referred to a psychiatric prison hospital by a physician for exhibiting signs of mental health conditions must be processed within one to seven days and receive treatment within one to three weeks depending on the urgency (Health Care Services for Prisoners, 2022). This legislation aims to ensure that vulnerable inmates have timely access to mental health services, reduce long wait times, and ensure they receive immediate care without being neglected or overlooked within the correctional system. Finland's exemplary mental health care system is reinforced by several factors. These include a low prisoner-to-staff member ratio, a favorable ratio of inmates to mental health professionals, and the provision of comprehensive specialized services within prisons for inmates with mental health conditions (Blaauw et al., 2000). This makes Finland one of the leading countries globally in terms of mental health support for incarcerated individuals (Blaauw et al., 2000).

In addition to these services, Finland offers a variety of rehabilitation, education, and resocialization programs in correctional facilities. The rationale for providing these programs is to enhance the overall quality of life for inmates, which boosts inmate satisfaction, diminish behaviour that prompts punitive measures, and foster positive effects on the mental health of vulnerable inmates (Azemi, 2020). Finnish facilities offer one of the most extensive arrays of programs for inmates worldwide, providing a broad range of comprehensive offerings, including secondary education and vocational training, such as hairdressing, tailoring, chef experience, laundromat services, and customer service roles which have consistently shown to positively influence prisoners' behavior and mental well-being (Azemi, 2020). The programs in Finnish correctional facilities not only enhance conditions for inmates and contribute to a more positive rehabilitation experience but are supported by inmates in Finnish prisons who consistently express a desire for expanding program offerings and aftercare support upon release and reintegration into society (Azemi, 2020).

Moreover, a study comparing recidivism rates between Finland and Western countries shows significantly lower rates of re-incarceration in Finland, especially among inmates with mental health conditions (Ojansuu et al., 2023). Within one group of inmates dealing with psychiatric issues, the recidivism rate dropped as low as 10 percent in certain prisons (Ojansuu et al., 2023). This significant decrease was linked to longer and more targeted treatment options provided to these individuals (Ojansuu et al., 2023).

This demonstrates the effectiveness of tailored mental health services in Finnish correctional facilities to address the specific needs of vulnerable inmates.

3.2.3. Oversight Practices

Examining the oversight of federal prisons in Finland, this responsibility falls under the purview of The Parliamentary Ombudsman of Finland. This external committee conducts “regular visits and monitors prison conditions consistently” (The Council of Europe, 2021). The ombudsman is responsible for receiving inmate complaints and suggestions for improvements and ensuring conditions within the prisons are in compliance with existing regulations. Furthermore, Finnish facilities welcome independent human rights observers to assess conditions and then provide reports to the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (Bureau of Democracy Human Rights and Labor, 2021). This oversight process is widely regarded as one of the most effective in Europe due to its transparent approach, aligned with the open prison system, which avoids concealing practices and instead provides direct accessibility regarding what occurs within prison facilities.

3.2.4. Comparative Analysis

Finland's penal practices often serve as a global benchmark, revealing areas in which Canada can enhance its own system. Finland's legislation concerning inmates with mental health conditions is notably more comprehensive compared to Canada's, and its open prison system offers improved conditions for all inmates. When comparing Finland's services and programs, gaps emerge in Canada's system due to Finland's thorough approach, ensuring timely mental health care and offering a diverse range of professional training. This is illustrated by the higher likelihood of recidivism among inmates with mental health conditions, with a 60 percent chance in Canada compared to only around 10 percent in certain Finnish facilities. Additionally, Finland's oversight practices are more transparent, allowing human rights observers into their facilities and promoting accountability. Thus, it is undeniable that Finland's correctional practices surpass those of Canada, particularly in the treatment of vulnerable inmates. In conclusion, the information gathered from this jurisdictional scan will inform the following sections of this research, to determine policy options that can enhance Canada's penal practices to adopt and align with some of the most effective policies utilized globally.

Chapter 4.

Research Methodology

The previous section of this paper provides key background and jurisdictional information. This section details this study's research methodology and the data collected. Ten interviews were conducted with academic and professional experts, each responding to a standardized set of initial interview questions.⁵ Potential interviewees were initially identified through online databases and academic journals. Additional interviewees were then identified through snowball and sequential sampling (Thiel, 2014). All participants were contacted via publicly available information or from information provided by other interviewees.

Experts were queried about their familiarity with prison conditions and their perceptions of recent trends in these conditions. Additionally, they were asked to provide opinions on proposed policy options and identify potential implementation challenges. Finally, experts were invited to share additional insights on correctional policies and suggest model jurisdictions for emulation by Canadian facilities. Interview questions were generated to better understand the experts' background knowledge, pinpoint gaps in current policies, and ascertain the most widely supported policy options for reform based on observed conditions within prisons. However, interviews were semi-structured to allow participants to provide insights on the selected topic outside of the interview questions prepared.⁶

Interviewees included key academic experts within the field of prison reform, as well as individuals with direct experience either currently or previously working Canadian correctional facilities, including:

1. A professor specializing in corrections, who brought academic and professional expertise in conducting inmate assessments in Canadian prisons
2. A professor who contributed insights into U.S. and Canadian prison reform projects

⁵ The interview guide can be viewed in the appendix of this paper.

⁶ The interviews conducted were completely confidential and the identity of the research participants has been obscured to ensure ethical discretion. The participants will be referred to henceforth as experts or by their professional occupation.

3. A professor who provided insights into the legal aspects of corrections
4. A PhD candidate with research expertise in rehabilitation programs for offenders
5. A PhD candidate focusing on mental and physical conditions for inmates within correctional settings
6. A former warden at a maximum-security federal Canadian institution
7. A former social worker from a medium-security federal Canadian institution
8. A former juvenile counselor in a federal Canadian institution
9. A current warden at a federal Canadian institution
10. An employee at the Office of the Correctional Investigator

One primary constraint that became evident during the expert interviews was the challenge of engaging with certain crucial stakeholder organizations throughout the research process for this report. Efforts to establish communication with entities such as CSC and CORCAN (a special operating agency within CSC tasked with facilitating the safe reintegration of offenders into communities) proved unsuccessful.⁷ Additionally, the limited capacity of a few organizations posed difficulties in coordinating expert interviews, such as the John Howard Society and departments within Public Safety Canada and Solicitor General.⁸

Furthermore, given the somewhat confidential nature of the project's subject matter, acquiring concrete data from the interviewed experts was occasionally difficult. Some experts exhibited hesitancy in acknowledging or describing instances of excessive force in federal institutions, while two of the experts that were interviewed denied the existence of issues concerning vulnerable inmates within these facilities. While this reluctance may be attributed to their current active roles as individuals responsible for enforcing policies within the establishments, some of this data proved difficult to analyze

⁷ Between November 6, 2023, and January 4, 2024, four attempts were made to contact CSC. CSC was contacted twice by email and twice by phone to be invited to participate in the research process. CORCAN was contacted twice via email between these dates. Neither CSC nor CORCAN returned any form of correspondence with the research team.

⁸ Attempts to set up expert interviews with the John Howard Society or individuals within Public Safety Canada were unsuccessful due to the limited capacity of the teams contacted. Both parties offered to have a representative reach out in Spring 2024, however, this follows the conclusion of the data collection period and falls outside of the timeline for this research project.

and integrate into the findings. Despite the limitations presented through the expert interviews, the diverse range of interviews contributed to a comprehensive analysis incorporating multiple perspectives.

The data collected from the expert interviews underwent thematic analysis to identify patterns, as well as recurring themes and narratives from participant's responses using NVivo software. Qualitative data has also been collected through the analysis of academic journals and policy papers related to punitive prison reform. Thematic analysis was used to analyze formal data which assisted in uncovering prevailing discourses and language surrounding prison reform in the literature. Finally, triangulation was achieved by using the information collected from the literature review to verify the coded data collected from the interviews. The data collected was utilized to inform the policy analysis phase of this research study, during which multi-criteria analysis (MCA) was applied. Further elaboration on this process will be provided in a subsequent section of this report.

Chapter 5.

Research Results

This section outlines the research findings derived from the data collected through the ten expert interviews. Four significant themes emerged: (1) key aspects contributing to unsuccessful rehabilitation among inmates; (2) culture and training practices among correctional personnel; (3) the range of mental health services and educational programs provided in prisons; and (4) the monitoring efforts by both the CSC and the OCI in federal facilities. Each of the themes discussed represents a contributing factor to the excessive use of punitive measures within prisons, thereby impeding overall rehabilitation, particularly for inmates with mental health conditions. These discussions provided insights on the reasons behind the use of punitive measures in prisons, emphasizing the urgency of prison reformation to effectively address this policy issue. Additionally, these insights correspond with those obtained from the literature on rehabilitation practices in Canada and serve as a basis for developing policy recommendations.

5.1. Key Factors Contributing to Unsuccessful Rehabilitation

The experts interviewed for this study unanimously agreed that failing to rehabilitate inmates is attributable to a combination of many factors. Most noted inmates with mental health conditions often receive more systematic punishment than the rest of the prison population, resulting in decreased rehabilitation opportunities. One expert stated, "prison systems are not forgiving to inmates with different needs, and as a result, these inmates pay a price... physically, mentally and with their rehabilitation paths". When directly questioned about the reasons behind the poor rehabilitation outcomes, interviewed experts pointed to generally worsening prison conditions in all aspects as a key factor undermining successful rehabilitation. One expert emphasized, "Considering everybody I have spoken with who has been in the corrections world for more than 20 years has said things have gotten far worse... I am hoping that we get to the reform stage sooner, rather than later." Another expert echoed similar concerns, stating, "As the prison

conditions continually get worse, it becomes harder and harder for inmates to have a chance at proper rehabilitation and reintegration."

Other experts indicated societal issues, such as widespread apathy towards prison matters, a noticeable lack of concern for inmates serving time in federal prisons, and a general lack of public awareness regarding prison conditions, as significant factors contributing to the ongoing challenges in inmate rehabilitation. One expert echoed the notion of public misconceptions about sentencing and conditions in federal facilities, highlighting that the Canadian public holds strong but uninformed opinions about prisons, lacking grounding in academic or factual knowledge.

I think that the average member of the public does not have an accurate understanding of what life is like in Canadian prisons today. I regularly hear comments about our prisons being "country clubs" or "easy rides compared to the United States" ... I truly believe that a lot of Canadians think that we are already providing vocational training, adequate mental health support, and a decent quality of life to federal offenders. The average member of the Canadian public doesn't know that this isn't the case, and I don't think they want to know about it. It's easier to cut funding for Federal offenders and ignore their existence when you can work under the illusion that life is good in penitentiaries, and everybody inside is a spoiled criminal ... Until the public sees that we legitimately have a problem, you are always going to have a hard time getting more money for any programs, let alone innovative pilot projects designed to fix things.

Numerous experts reiterated this sentiment, emphasizing the difficulty in sparking outrage towards the system and initiating change and reform when there is widespread ignorance or indifference towards prison issues. One expert highlighted, "Without understanding of what happens inside these institutions, prisons will remain places for incarceration and punishment, rather than spaces for rehabilitation."

Moreover, some interviewees expressed low rates of prisoner rehabilitation can be largely attributed to the structure of the prison system itself. Canada's correctional system categorizes institutions based on the severity of the crime, ranging from low to high security facilities, yet many of them often exhibit uniformity regardless of the differing offenses of the inmates. One academic expert questioned, "Why are inmates who are charged with lesser crimes, such as drug possession, confined to their cells in a minimum-security prison in the same manner as those convicted of more serious offenses, like murder, who are serving time in maximum-security institutions? Don't these inmates deserve a less punitive environment which will help them with

rehabilitation and encouragement of meaningful behavioural change?" Several experts also referenced the Finnish prison system, which, as shown the previous section, employs an open prison approach, providing a more conducive environment for genuine rehabilitation efforts. Additionally, the heightened considerations given to inmates with mental health conditions in certain sentencing decisions in the U.S., such as through jail diversion programs, underscores the gaps that must be addressed in rehabilitating vulnerable inmates within Canadian prisons.

Finally, experts emphasized how prison conditions themselves continually hinder successful rehabilitation efforts. One academic characterized the conditions in Canadian prisons as "harmful, degrading, and frankly unsafe," attributing them to inmates' inability to access necessary assistance within the facility, thereby impeding their successful reintegration into society and increasing their risk of recidivism. Specifically, the experts highlighted how these conditions often disproportionately target vulnerable inmates with punitive measures. The subsequent research findings will delve into the most commonly identified factors that inhibit prisoner rehabilitation and exacerbate punitive measures in correctional facilities.

5.2. Personnel Training and Culture

One recurring theme throughout the expert interviews highlighted the inadequate training and toxic culture within prisons which contributes to unsuccessful rehabilitation for inmates. One expert outlined the pressing need for enhanced training among personnel in correctional facilities to better suit their roles. They described how they received only a 10-week unpaid training upon joining, covering basic aspects of the Criminal Justice Act and safety measures, but lacking in depth. They noted that individuals with minimal education, sometimes "just a high school diploma", were employed as counselors, despite the "seriousness of the role". While there were mandatory courses on punishment and the use of force every few years, one former CSC staff member noted that even these were insufficient, especially for officers whose beliefs didn't align with rehabilitation-focused institutional policies:

If you've got a correctional officer who thinks that inmates are not capable of rehabilitation, that don't have the same rights that you and I do ... those are fairly closely held values and they're not going to be changed in an 8-hour training session. There's a dynamic sometimes between correctional

officers towards collective punishment and harsh punitive measures. And so, the bigger task is to manage the culture of the institution.

A former social worker who spent time within a correctional facility agreed “the training could be a lot better in terms of punishments towards inmates but also with everything there needs to be more of a cultural component” towards prison reformation. They noted that “when you have been working in the system for so long you develop an attitude that you are more likely to use inappropriate force, whether its physical force ... or just the kind of coercive authoritarian force that correctional officers have over vulnerable inmates”.

Specifically, regarding personnel training and the culture within facilities towards vulnerable inmates, experts in the field believe Canadian facilities have significant room for improvement. One expert agreed that greater personnel training specifically for inmates who faced mental health challenges is often “recommended simply because people don’t see other solutions, or the solutions are changing culture or getting a grip on culture which is something that is impossible to deal with”. They went on to state that while “there is a general agreement at management levels that the Charter applies in prisons and should apply to everyone equally regardless of their mental or physical struggles, some personnel “simply don’t agree””.

Furthermore, one expert concurred that conditions for vulnerable inmates within correctional facilities are "astoundingly more punitive than rehabilitative," highlighting both a deficiency in training and a negative institutional culture. An academic expert, who also has experience working in such a facility, provided instances where vulnerable inmates were specifically targeted for punishment due to "poor behavior" or "acting out." These punishments ranged from food deprivation for 12-hour periods to physical abuse. They attributed the blame to the culture within this particular federal facility, noting rumors of correctional officers who believed vulnerable inmates “deserved harsher treatments” with no intervention from other officers who were present when these events occurred. Another expert who has spent years working in various correctional facilities agreed with a need for culture change within CSC, stating that 95 percent of CSC employees in facilities are well intentioned.

[So many employees in the facilities] are unable to stay out of the culture of CSC, which I find really negative. Specifically for the security staff, more than anywhere else. It’s this incredibly negative culture. It’s a petri dish for

brewing up this discontent. But there are institutions where staff who aren't as solid thin blue line will go to flee from that culture and migrate to different facilities.

However, one academic argued that the Canadian penal system more generally is severely flawed, and suggesting that it is difficult to solely fault correctional officers for the conditions and treatment of vulnerable inmates within it:

I think the people that work in the system are really dedicated. They're trying to do the best they can, but they're working in a challenging system. They're working in a system that doesn't value that the residents are human beings that have become justice involved, and that need to be built up and need to have their trauma addressed.

5.3. Mental Health Services, Programming and Vocational Training

Interviewees were also asked about measures that could improve prison conditions for inmates struggling with mental health conditions. Nearly every respondent gave similar responses, emphasizing the significance of providing greater access to mental health services, educational programs, and activities that enable inmates to constructively utilize their time in correctional facilities. One expert noted there “needs to be a lot more of a focus on the mental health piece” and described current mental health services offered in prisons as a “one-size-fits-all approach” leaving “so many gaps for vulnerable inmates as their needs are so complex”. They elaborated that while the facility they worked in did have mental health nurses on staff, who were specifically responsible for meeting with inmates every 24 hours when they were experiencing a mental health crisis, these same inmates “were watched 24 hours a day by a correctional officer to ensure they would not commit suicide, which felt very degrading in a lot of ways”. A social worker described the mental health services offered in one facility as a “clinical environment, that may feel like a bit of extended care, but when you look around the environment, you are very obviously in a prison” which exacerbates mental health conditions as individuals experiencing crises are “consistently reminded of their predicament from the sterile conditions around them.”

Beyond improvements to the mental health services offered, all interviewees stressed the need for better vocational and educational programming offered within correctional facilities. Many academics argued that while “mental health supports are

crucial in prisons” equal attention must be given to “building capacities for these populations and giving them the skills to compete outside of prison”. Academics unanimously agreed providing training and educational opportunities to vulnerable inmates improves their mental health and overall experience in prison. Furthermore, this ultimately leads to fewer instances of “acting out”. The experts admitted that while programs do not directly address the excessive use of punitive measures by correctional officers, it significantly reduces the frequency of inmates with mental ailments being targeted for "unruly behavior." This information is echoed in the information gathered from Finnish correctional facilities in which the programming offered was proven to improve inmate happiness, reduce behaviour that prompts punitive measures, and increases the mental health of vulnerable inmates (Azemi, 2020).

One academic spoke of the services and programs offered in the U.S. comparatively, stating that “we often think of the U.S. as very harsh and punishment focused and the sentences are definitely harsher, but they have a lot of innovative and extensive programs, like the education programs. We don't have that in our federal correction system.” As an example, they went on to reference Washington state penitentiary which “offers inmates to get education all the way up to a PhD online”. Other academics echoed this statement citing studies that find that the “majority [of vulnerable inmates] given the right opportunities, the right structure, and the right programs, be it education or trades, would shine”. Furthermore, experts spoke about the possibility for enhanced opportunities for vulnerable inmates through programs such as wilderness camps or those offered at the Montana State Prison, in which there is a prison ranch. Here minimum and medium security residents:

Take care of farm animals, learn to butcher, raise their own beef, make all their own ice cream, and have the opportunity to take horseback rides each day...the inmates absolutely love that, so locking somebody up in an 8 by 10 room and expecting people to magically get better is just not realistic...there's a lot of room for innovation in programming.

They further stressed that inmates who engage in outdoor rehabilitative experiences not only acquire practical skills but also experience a clear improvement in their mental health, overall well-being, and reduced likelihood of reoffending. Lastly, when asked if there is proven method to improve conditions in prisons for inmates one expert stated that:

Half of it is just keeping the offenders busy and with meaningful work. 90 percent of what I see as a problem in institutions and everywhere is because we have created a system in which we put these guys into cells, and we keep them extremely segregated from each other...So many [inmates] have PTSD of some format, and we don't have psychologists that follow up with them after they get triggered [from harmful experiences in prisons] so we are causing them to have more issues... If we actually gave proper vocational programming, if we had them do anything, anything at all, other than being locked up in a cell all day, it would make a difference.

This information is corroborated by the data gathered in the jurisdictional scan, which highlights the wide array of programming and opportunities for inmates to acquire life skills in U.S. federal prisons which directly enhances rehabilitation. Additionally, as observed in Finnish facilities, the provision of diverse professional opportunities stands out as an area for improvement in Canadian facilities to facilitate the successful reintegration of vulnerable inmates into society post-sentence.

5.4. Monitoring within Federal Facilities

Another key topic of discussion during the expert interviews was the role of the CSC and OCI when it comes to monitoring within federal correctional facilities. The study revealed a strong consensus among research participants advocating for increased monitoring by CSC within facilities. This is aimed at reducing the use of punitive measures and to increase the overall support given to vulnerable inmates. When questioned about the punitive conditions encountered by inmates with mental health conditions in prisons, and why there is so little information available regarding instances of punitive measures, a few academics outlined that “there is hardly any research because the CSC doesn't allow it, or they don't release it... they are a very reactive organization and are their own worst enemy because they do not sponsor or encourage of a lot of research”. The interviewees with academic expertise argued keeping penal operations secretive and limiting the completion of studies on prison conditions contributes to deteriorating conditions for inmates, perpetuates the general lack of public awareness of the extent of the poor conditions, and reduces rehabilitation opportunities.

Additionally, when questioned about the effectiveness of certain programs and services provided in facilities for aiding vulnerable inmates, some academics noted that the evaluation of these programs is solely conducted by CSC. They highlighted that

"independent researchers are typically not permitted to assess them." Furthermore, one expert with experience in a facility noted that:

CSC is CSC's biggest problem. There is no communication between the regions...They have a massive roster of directors in national headquarters that don't know what is going on in their own prisons, but they are the one's making decisions [about day-to-day operations and inmate programming].

In summary, most respondents agreed CSC needs to take a more proactive role in monitoring its operations. This should begin with bringing attention to the punitive measures utilized by correctional officers in prisons, openly addressing these issues and inviting input from academics and policymakers to transform the current situation. A transparent approach would help mitigate the excessive use of punitive measures experienced by vulnerable inmates.

When questioned on whether the OCI should play a greater oversight role in correctional operations, as the oversight body for CSC, most experts were ambivalent. One academic referenced the OCI's annual report that recommends areas of improvement within federal facilities, stating that the current Correctional Investigator of Canada, Ivan Zinger, often "admits that he is tired of making the same recommendations every year.... But [the OCI] don't have political pull" to provide anything beyond recommendations. Furthermore, a PhD candidate pointed out the OCI does not control their own budgets, and as they are controlled federally through the CSC headquarters they are often understaffed and do not have the resources available to have a greater oversight role. They also pointed out that these annual reports are not binding and are "nothing more than recommendations".

Due to the crucial role transparency and oversight plays in federal facilities the research endeavoured to gain insights from both CSC and OCI on this area of research. While only one representative from the OCI participated in this study, they provided valuable insights into this research that brought light to the discussion surrounding oversight practices. The OCI representative outlined that correctional investigators are "required by legislation to respond to every offender complaint...and during site visits [they] contribute to the annual report, which is the big strategic policy tool where they produce findings every year". They described a complaint system overwhelmed by volume, with some inmates submitting numerous complaints about CSC staff who "do not want to collaborate with offenders and refuse to acknowledge when an offender is

right, regardless of the situation". Furthermore, when inquiring specifically about how the OCI employee perceives the impact of the annual reports on prison operations, they responded by stating:

It is really difficult with the annual report because the reports are essentially a political tool ... It is cleaned up substantially to make it more palatable for the political audience. So, a lot of the stuff written originally is actually far stronger than what you would read in the annual report.

They elaborated on the annual reports, highlighting that recommendations from previous reports often lack urgency in implementation and that a new report is issued each year without addressing basic urgent issues from previous ones.

The problem is that because so many of the key messages were sending have been repeated so many times, we could just copy and paste the annual report every year if we basically focused on the Maslow's hierarchy and focused all our attention on that well, we would just do nothing but that for a new report.

When asked if there would be a more effective way to ensure that the recommendations in the annual reports are implemented the representative stated that:

We have the power to make recommendations. We do not have the power to enforce or execute or anything... And I don't think that an office like ours should be able to make more than recommendations... Oversight is important, but you need checks and balances. If you have an oversight body that's not doing their job correctly it's not going to necessarily fix the problem and all you're going to do is add layers of red tape when the big issue already is the bureaucracy and the administration ... like reporting requirements where people are spending so much time filling out stuff into the systems that they are not able to be on the floor and the dynamic security is completely lost.

The statements made by the OCI employee revealed a conflict involving bureaucracy, political interests, and the crucial role of accountability in oversight organizations. The similar candid remarks from the majority of experts underscored the urgent necessity to address deficiencies in the system, emphasizing the CSC's responsibility to enact meaningful reforms.

Lastly, as previously mentioned, more exemplary monitoring practices are seen in Finnish facilities by welcoming independent human rights observers to assess conditions within their facilities. This fosters an environment of transparency and accountability, specifically benefiting inmates with mental health conditions as it allows

for more individuals to assess the prison environment and make recommendations for improvement. Furthermore, in addition to basic oversight, Finnish federal facilities are also subject to oversight by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (Bureau of Democracy Human Rights and Labor, 2021), which adds an extra layer of supervision to ensure humane treatment of inmates. Canada's facilities could adopt a similar approach and implement additional monitoring beyond that provided by CSC and the OCI. This will be considered in a forthcoming section of this paper.

Chapter 6.

Evaluative Criteria and Measures

This chapter uses multi-criteria analysis (MCA) to analyze proposed policy options. The goal of these options is to enhance inmate rehabilitation by mitigating the disproportionate use of punitive measures within correctional facilities, particularly those affecting inmates with mental health conditions. The MCA approach allows for a comprehensive assessment of each policy option against a set of defined criteria and associated measures. The four following criteria and measures - *Effectiveness, Equity, Cost, and Feasibility* - were selected as the most imperative objectives based on information gained from the jurisdictional scan, expert interviews, and supplementary data sources, and each was categorized as either a societal or governmental objective. A rating scale from 1 – 5 is employed to numerically assess each criterion. *Effectiveness and Cost* are given additional weight to emphasize their importance as the key societal and governmental objectives. *Effectiveness* is pivotal for societal objectives as it directly increases inmate rehabilitation, while *Cost* holds paramount significance for governmental objectives as it is typically a central consideration for mandate implementation in correctional facilities. Both criteria will carry double the originally assigned weight in scoring. For instance, if either are rated a 3, during the final evaluation the score will be worth 6 when tallied.

Table 6.1 Criteria and Measures Defined

Criteria	Definition	Measure	Metric
Effectiveness	Ability of the policy to effectively enhance rehabilitation opportunities	The extent to which a policy option increases rehabilitation	1 – 5, with 1 being the lowest and 5 being the highest
Equity	Ability of policy to increase the equity for vulnerable inmates	The degree to which a policy option improves the wellbeing of inmates with mental health conditions by reducing punitive measures	1 – 5, with 1 being the lowest and 5 being the highest
Cost	Costs associated with implementing a policy	Estimated costs for a policy option	1 – 5, with 1 being the highest cost and 5 being the lowest cost
Feasibility	The ease of implementing a policy option based on a variety of political factors	The extent to which a policy option is feasibly accepted by stakeholders, considers public support, and assess administrative complexity	1 – 5, with 1 being the lowest and 5 being the highest

6.1. Effectiveness

Effectiveness entails assessing a policy’s ability to increase rehabilitation within correctional institutions. This societal objective focuses on the effectiveness of rehabilitation opportunities for inmates, aimed at guiding them back to a state of normalcy and equipping them for successful reintegration into society. Policies should focus on mitigating risks such as violence, abuse, and neglect, thereby promoting both perceived and actual safety while respecting individual human rights. Proposed policies should focus on safety and security while effectively contributing to the overarching goal of inmate rehabilitation and societal reintegration. A rating from 1 to 5 is given, with a higher rating indicating the likelihood of successful rehabilitation.

6.2. Equity

Increasing equity for inmates involves proposing policy options that improve the wellbeing and reduce punitive measures faced by vulnerable inmates. More specifically, by implementing policies that diminish the punitive atmosphere towards inmates with mental health conditions, correctional institutions can establish a fairer and more just environment, aiming to mitigate the risk of additional harm and marginalization among

vulnerable populations. Ultimately, this aims to address the overarching discriminatory practices that lead to punitive measures in prisons. A rating scale ranging from 1 to 5 will gauge the potential effectiveness of the policy, with higher ratings indicating a greater likelihood of reducing the utilization of punitive measures.

6.3. Cost

Evaluating the financial implications of prison reform proposals is necessary for prudent governance and responsible resource allocation. Given the significant attention paid to costs in Canada's correctional system, understanding implementation expenses enables policymakers to make informed choices regarding resource allocation. This ensures that both effective correctional interventions and rehabilitation opportunities for inmates are prioritized over excessive administrative expenses. A rating from 1 to 5 will be used to assess the financial implications of a policy option, where a lower rating signifies higher financial costs.

6.4. Feasibility

Feasibility refers to the practicality and ease of implementing a proposed policy option within the political landscape, taking into consideration stakeholder acceptance, public support, and administrative complexity. Public support and stakeholder acceptance for policies aimed at improving conditions for inmates with mental health conditions is essential for influencing government priorities and funding allocations. They are also instrumental in drawing attention to critical issues in Canada and will signal the likelihood of successful implementation of correctional reform policies. Policies should be reasonably feasible for political parties to propose, promote, and execute with minimal discontent from stakeholders and the public. Considering administrative factors, such as the ease of implementing altered or new policies and safeguarding inmates during institutional reform, provides insights into the practicality of proposed options and highlights challenges that must be addressed prior to enactment. A rating scale of 1 to 5 will be used, with a higher rating indicating the likelihood of easier feasibility.

Chapter 7.

Policy Options and Evaluation

This chapter presents three policy options: 1) Enhanced Mental Health Training for Personnel, 2) Increased Research, Accountability and Monitoring, and 3) Expanded Services and Programming for Inmates. Each of these policy options is informed by the data gathered from expert interviews, jurisdictional insights, and relevant literature. The overarching goal of each policy option is to address the inhumane and unfair treatment experienced by inmates with mental health conditions while simultaneously increasing rehabilitation opportunities.

7.1. Policy Option 1: Enhanced Mental Health Training for Personnel

One proposed solution to address the excessive use of punitive measures against vulnerable inmates involves implementing federally mandated, comprehensive mental health training for all staff working in federal correctional facilities. This initiative aims to increase awareness of the significant number of vulnerable inmates within correctional facilities and equip personnel with the necessary skills to handle them in a rehabilitative, rather than punitive, manner. Given that nearly 38 percent of new admissions to Canadian facilities have a history of psychological conditions (Public Safety Canada in 2022), it is crucial for staff to receive appropriate training. This training would offer insights into the pre-existing trauma experienced by many inmates and suggest improved approaches for interacting with these individuals.

Furthermore, by raising awareness of the extent of mental health challenges among inmates, the training could also help reduce stigma. By mandating this training for all facility staff there is hope that it would foster a more empathetic environment within facilities and benefit correctional officers and wardens who regularly interact with inmates who have mental health conditions. Recognizing that each inmate has unique struggles with mental health and past trauma could promote greater patience and understanding, ultimately decreasing the use of punitive measures against vulnerable inmates. Finally, diminishing this stigma within facilities is expected to improve

rehabilitation prospects for vulnerable inmates. This shift in perception may help them feel more understood, thus aiding their rehabilitative journey towards successful reintegration.

One potential limitation of implementing this policy option is the effectiveness for personnel with strong personal negative views regarding vulnerable inmates. Interviews and literature analysis suggests that some employees in federal facilities genuinely believe that vulnerable inmates intentionally misbehave and therefore deserve severe punitive measures. This suggests a cultural shift would be necessary in these facilities to truly effect change, and merely a few hours or days of mental health training may not suffice to alter the perspectives of certain staff members. Nevertheless, as indicated in the literature and supported by expert interviews, mental health awareness significantly contributes to improved prison conditions. Despite the possibility of not resonating with all personnel, it is likely to positively impact the day-to-day lives of inmates by reducing punitive measures employed.

7.2. Policy Option 2: Increased Research, Accountability and Monitoring

Another proposed option involves increasing research into punitive incidents within federal prisons, implementing stricter accountability measures for such occurrences, and enforcing enhanced monitoring in daily operations conducted by CSC staff. This initiative aims to directly confront the excessive use of punitive measures against vulnerable inmates by addressing internal issues within correctional facilities, particularly focusing on staff members who resort to punishing vulnerable inmates for unruly behaviour. The limited data collection in this area has revealed the prevalence of these issues, prompting the need for more comprehensive research to identify facilities and personnel with the highest instances of excessive punishment targeted at vulnerable inmates. The data gathered can be disseminated through public reporting to raise awareness about issues within facilities and push for operational improvements. With improved research and reporting, there would be more publicly accessible information on the specific instances of punitive measures used in federal facilities, facilitating easier collection of quantitative data for academic purposes.

Subsequently, improved accountability measures can be instituted to prevent instances of punishment from being overlooked or concealed by CSC staff who may view punitive measures as necessary for managing vulnerable inmates. Alongside improved research and accountability measures, monitoring could involve regular visits to prisons by CSC administrative staff, who hold the responsibility for implementing policy changes within the facilities to enhance rehabilitation opportunities. This additional oversight could extend to the OCI staff during routine facility visits, with prompt action taken by CSC management in response to any reports of unfair treatment by inmates. Although random audits can be carried out by the OCI, it's customary to provide advance notice before entering the facility. If true random audits were routinely conducted at each facility, instances of excessive use of punitive measures would be more likely to be identified. As per CSC regulations, Canadian federal facilities are designated for rehabilitation, and the use of punitive measures to enforce conformity from inmates with mental health conditions exceeds the legal boundaries set by Canadian federal policies.

One potential drawback of this option could arise from the possible reluctance of CSC to adhere to policy and practice changes within federal facilities. While CSC has not explicitly expressed dissatisfaction with their operations within facilities, experts have observed that any changes deemed necessary by CSC would likely have already been implemented. This suggests that CSC may be content with the current operational status quo and may be resistant to significant changes. However, given the urgency of the situation and the recommendations provided by the OCI through annual reports, as well as insights from academics familiar with the prevailing conditions, it is imperative to enact changes within facilities to meaningfully improve conditions for inmates with mental health conditions.

7.3. Policy Option 3: Expanded Services and Programming for Inmates

Enhancing mental health services and vocational programs available to inmates in federal facilities would directly aid those with mental health conditions and contribute to overall mental health improvement. Analysis of data collection and emulating a Finnish approach has shown that guaranteeing a maximum wait time for inmates to see a mental health professional and increasing the ratio of mental health staff to inmates significantly enhances conditions within facilities. This ensures that each inmate receives the

necessary medical care and attention to contribute to their rehabilitation efforts. Additionally, correctional institutions in Finland demonstrate that when there is an 'optimal' balance of mental health staff to inmates, the likelihood of encountering punitive measures is significantly reduced. Having additional mental health staff not only offers extra care to vulnerable inmates but also serves as an additional oversight body, monitoring operations within the facility. This policy option shifts some of the responsibility for day-to-day operations from CSC staff to mental health professionals. Implementing a combined staffing approach, where mental health staff accompany correctional staff, increases the likelihood of inmates with mental health conditions receiving appropriate treatment.

Furthermore, expanding vocational programming for inmates has been shown to reduce the punitive measures faced by vulnerable inmates. Expanding programming provides inmates with opportunities to improve their mental health, thus reducing disruptive behavior that violates strict prison regulations. The data collected through expert interviews emphasized that inmates who engage in meaningful vocational training are more likely to experience personal rehabilitation and by association, reduced rates of recidivism. This policy option to improve access to mental health professionals and expand educational and personal development opportunities, would enable vulnerable inmates to benefit from a rehabilitative and less punitive environment in prisons.

One potential weakness of this proposed solution would be the extensive efforts required to implement additional mental health services and programming within correctional facilities. This would necessitate substantial changes, such as hiring additional personnel, modifying existing programming, and fostering inmate and staff willingness to adapt to the evolving environment. Despite the magnitude of this endeavor, it represents one of the most comprehensive approaches to ensuring that vulnerable inmates receive necessary services for addressing underlying health conditions and transitioning towards a rehabilitative framework from their current punitive reality.

7.4. Analysis of Policy Options

Each policy option is evaluated based on the previously explained criteria and associated measure. To assist in visual analysis, an MCA chart featuring a rating scale

and colour coding will be utilized. Options are rated from 1 to 5 with higher numbers (4 and 5) denoting strengths of the proposed option relative to the criteria, and lower numbers (1 and 2) indicating weaknesses of the proposed option in relation to the criteria. Green signifies a higher rating, while red indicates a lower rating. In cases where a policy option may have an equal number of strengths and weaknesses a rating of 3 and the colour yellow is assigned to denote this. The use of numeric ratings and colour coding described provides a quick way to identify the most significant benefit or drawback of each proposed policy option. The colors and associated ratings for each criterion derive from the information obtained during document analysis and expert interviews, with subsequent rating of the policy options accordingly. The status quo is integrated into the comparative analysis of the three policy options to establish a starting point for assessing how the proposed measures could enhance the existing conditions.⁹

⁹ A summary of the status quo in Canadian federal institutions can be found on page 10.

Table 7.1. Evaluation

Criteria	Status Quo	Policy Option 1: Enhanced Mental Health Training for Personnel	Policy Option 2: Increased Research, Accountability and Monitoring	Policy Option 3: Expanded Services and Programming for Inmates
Effectiveness	(1) (x2 = 2) The current situation has resulted in a decline, rather than an increase, in rehabilitation opportunities within correctional institutions.	(3) (x2 = 6) While likely to increase rehabilitation opportunities and potentially foster a safer environment, it might not directly and immediately enhance inmate rehabilitation and successful reintegration into society.	(4) (x2 = 8) Likely to enhance rehabilitation effectiveness by improving inmate safety. This ensures the proper management and prevention of any adverse environments that could hinder the rehabilitation process.	(5) (x2 = 10) Likely to increase successful rehabilitation by preparing inmates for societal reintegration. Additional services and programs are generally welcomed by inmates as they indicate a shift away from punitive measures, towards rehabilitative methods, thereby fostering a greater sense of safety.
Equity	(1) The current situation has decreased equity for vulnerable inmates with the systematic use of punitive measures.	(3) Likely to decrease punitive measures, raise mental health awareness and address discrimination. Unlikely to change the staunch punitive ideologies of some personnel.	(4) Likely to increase equity by diminishing discriminatory practices and reducing the use of punitive measures through proper mechanisms.	(4) Likely to increase equity and reduce punitive measures experienced by inmates by offering the opportunity to seek personal growth from expanded services and programs.
Cost	(1) (x2 = 2) The financial implication of the current penal system amounts to approximately \$190,000 per inmate annually for all expenses. However, inmates are not provided with rehabilitation opportunities equal to this value.	(3) (x2 = 6) The costs associated with implementing a federally mandated program would be moderate as training for all personnel would range around \$30 million.	(4) (x2 = 8) The costs for enhancing oversight would be generally low, as a significant portion of these efforts could be budgeted internally by CSC. Costs would differ for each institution based on the improvements required.	(2) (x2 = 4) The costs associated with implementing services and programs would be high. Implementing one new service or program would be approximately \$25-40 million dependent on which service or program is selected.

Criteria	Status Quo	Policy Option 1: Enhanced Mental Health Training for Personnel	Policy Option 2: Increased Research, Accountability and Monitoring	Policy Option 3: Expanded Services and Programming for Inmates
Feasibility	(2) While administrative feasibility remains the same for the current penal system, stakeholder acceptance and public support are low due to the prevalent issue of low rehabilitation and as a result, high recidivism rates.	(3) Feasibility of implementation would garner relatively neutral support and acceptance due to mixed sentiments regarding the penal system. Administrative complexity would also be neutral as it would require relatively significant adjustments, but awareness training could be integrated into existing training.	(3) Feasibility of implementation would likely receive some public and stakeholder support as this option could lead to a reduction in recidivism. However, some individuals may see these enhanced measures as a waste of resources. Administrative considerations would be relatively minimal as these mechanisms already exist but require improvement.	(2) Feasibility of implementation is likely to be low due to the substantial efforts needed to overhaul the current penal system, implement inmate programs, and expand mental health services. This option would garner minimal public acceptance and stakeholder support while increasing administrative complexity.
Total Score	7	18	23	20

7.4.1. Policy Option 1 Evaluation: Enhanced Mental Health Training for Personnel

Effectiveness

Implementing federally mandated, comprehensive mental health awareness training for all employees in prisons in Canada presents a mixed evaluation across the criteria selected. Mental health awareness training will likely mitigate safety risks within prisons such as violence, abuse, and neglect, which compromise individual human rights. This is likely to increase the overall effectiveness of enhancing rehabilitation opportunities and success of reintegration into society upon completion of a sentence. However, training thousands of employees in dozens of federal facilities will take a significant amount of time, and thus, this option may not directly and immediately enhance the effectiveness of rehabilitation strategies currently employed in correctional facilities. As a result, this policy option receives a neutral score of 3, as it has both strengths and weaknesses for effectiveness.

Equity

This policy option is likely to promote equity among vulnerable inmates by tackling discriminatory practices within facilities. This would be achieved through training programs aimed at raising awareness about mental health conditions and the stigma and challenges experienced by inmates dealing with such issues. Additionally, the data collected through expert interviews stressed that by implementing more comprehensive training and fostering a cultural shift among employees at federal facilities, there is significant potential to decrease the punitive measures imposed on vulnerable inmates. Despite this, there is a possibility that certain personnel may not meaningfully engage with mental health awareness training due to their pre-existing beliefs in the effectiveness of using punishment to ensure conformity. As such, this policy option receives a neutral score of 3, as it presents both strengths and weaknesses for enhancing equity.

Cost

The financial implications of implementing a federally mandated training program for all staff in correctional facilities would be moderate due to the substantial scope of the program. It is estimated that based on current program expenditures, training approximately 16,000 CSC employees in federal facilities would cost around \$30 million (with the average mental health training program costing \$2,000 per individual). Notably however, this policy option would necessitate only one comprehensive training program for all personnel and would require minimal other financial considerations. As a result, this policy option receives a neutral score of 3 for overall costs.¹⁰

Feasibility

The feasibility of implementing extensive mental health training receives a mixed evaluation when examining the practicality and ease of proposing and implementing this option in the political landscape. The level of public support and stakeholder acceptance is likely to differ, given the general negative sentiment of some individuals regarding inmates and the purpose of the penal system in Canada, advanced mental health training may be seen as unnecessary. However, given that mental health awareness

¹⁰ When evaluating costs, it is important to note that lower scores indicate higher costs, whereas higher scores suggest lower costs.

training and programs are already prevalent in various institutions and workplaces, some individuals may be more supportive of this change. Additionally, administrative considerations, including the feasibility of implementing federal training programs, also present a mixed assessment. While this option would necessitate substantial modifications to current training programs, it could potentially be integrated into existing mandated training to establish a regular and systematic training schedule for employees, thus preventing prolonged disruptions to their duties. As such, this option receives a neutral score of 3 for feasibility.

7.4.2. Policy Option 2 Evaluation: Increased Research, Accountability and Monitoring

Effectiveness

Increasing research into prison practices and improving accountability and monitoring is expected to greatly aid in inmate rehabilitation and eventual reintegration into society. These mechanisms are intended to mitigate risks such as violence, abuse, and neglect towards inmates with mental health conditions, and create a safer prison environment, with a focus on rehabilitative rather than punitive practices. As stressed throughout the expert interviews, increasing the number of individuals overseeing and investigating prison conditions will enhance rehabilitation opportunities for prisoners and improve overall conditions within prisons. This policy option receives a high score of 4 for effectiveness. It falls short of a perfect score, as even with advanced research, accountability and monitoring there is the possibility that prisoner rehabilitation will be hindered by the systemic repressive environment inherent in the Canadian penal system which does not always provide optimal opportunities for rehabilitation.

Equity

This policy option will increase equity for inmates in correctional facilities by addressing discriminatory actions and practices that result in punitive measures. Enhanced research is expected to decrease the reliance on punitive measures as correctional staff will be closely monitoring their use of such tactics. Moreover, increased accountability ensures that staff are held responsible for their actions, potentially deterring discriminatory behaviors altogether. Additional monitoring is likely to dissuade correctional officers who strongly believe in the necessity of punitive actions. With the implementation of these

additional mechanisms, there is likely to be a decrease in the use of punitive measures, along with a reduction in the risk of further harm and marginalization targeted towards vulnerable populations. This policy option receives a high score of 4 for equity objectives. It does not obtain a perfect score as some punitive actions may still go undetected despite efforts to increase oversight within facilities.

Cost

The financial implications of implementing advanced research, accountability, and monitoring are likely to be minimal since many necessary mechanisms are already in place. For instance, enhanced research could be conducted by independent organizations, such as academics, at little to no cost to CSC. Accountability practices could be enhanced by improving routine performance checks currently in place. Additional monitoring could be facilitated by utilizing existing administrative CSC staff, whose positions could be adjusted to include regular visits to facilities. Consequently, much of the funding needed for this option could be sourced through budget reallocation from other areas or by allocating a modest amount to enhance each of these mechanisms. An exact cost is challenging to ascertain as expenses would vary for each institution depending on the required improvements. As a result, this policy option receives a high score of 4 for associated lower costs. It does not achieve a perfect score since it is acknowledged that additional expenditure beyond the current amount would be required to enhance the system beyond its current state.

Feasibility

Implementing enhanced mechanisms for research, accountability, and monitoring in prisons would garner both strengths and weaknesses when examining political feasibility. This option may receive some public support and stakeholder approval as it would likely decrease the resources spent on investigating instances of excessive use of punitive measures. Additionally, increased oversight and effective rehabilitation efforts would likely lead to reduced recidivism rates, and ideally impact public expenditure on prisons, which are known for their high costs. However, it is expected that some individuals may view the money spent on these measures as a waste of resources. When examining administrative factors like implementation ease, the requirements are expected to be relatively minimal. As mentioned earlier, many necessary mechanisms

could be easily improved upon from existing practices. This evaluation meant that feasibility receives a neutral score of 3 for this policy option.

7.4.3. Policy Option 3 Evaluation: Expanded Services and Programming for Inmates

Effectiveness

Expanding mental health services and vocational programming for inmates with mental health conditions will be highly effective for ensuring effective rehabilitation practices. Sufficient resourcing for mental health staff for vulnerable inmates and reduced wait times for mental health care are necessary for ensuring inmates receive proper treatment and are better prepared for successful reintegration into society. Additionally, expanding vocational programs for vulnerable inmates is likely to be well-received, signaling a shift in correctional policies towards rehabilitation rather than punitive measures. This policy change reflects a greater prioritization of safety for inmates with mental health conditions. This policy option receives a perfect high score of 5 for effectively providing rehabilitation opportunities. It attains a perfect score for this criterion due to strong support from academic and professional experts, as well as demonstrated effectiveness through examples from other jurisdictions.

Equity

This policy option would garner greater equity for inmates by addressing discriminatory practices that lead to punitive measures. By enhancing mental health services and programming for vulnerable inmates, it can reduce the punitive atmosphere and create a fairer environment to mitigate the risk of marginalization. Furthermore, monitoring for unfair punitive practices can be improved by increasing the presence of mental health practitioners within prisons, to serve as an additional oversight mechanism. The implementation of tailored programs for inmates with mental health conditions will enhance access to mental health care and lead to overall improvements in mental well-being and foster personal growth. This policy option receives a high score of 4 for enhanced equity. This option does not receive a perfect score as there is still a possibility of punitive measures being taken by staff who persist in their punitive approach. Addressing this issue requires a fundamental change in staffing practices, rather than solely relying on additional services and programming.

Cost

The financial implications of implementing increased mental health services and programming would be significant due to the extensive scope of implementation across all facilities. It is estimated that introducing one new service or program in federal facilities would cost between \$25-40 million, dependent on whether the option selected is increased access to mental health professionals or vocational programming. The cost estimate also varies significantly depending on the number of inmates interested in, eligible for, or capable of participating in a new program or service. As a result, this policy option receives a low score of 2 for overall high budgeting costs.

Feasibility

The political feasibility of this option is anticipated to be low due to the substantial efforts required to overhaul significant aspects of the current penal system. Implementing routine staffing of mental health professionals, allocating spaces for mental health care, and establishing programs for vulnerable inmates would require substantial public support and stakeholder acceptance. This necessitates widespread readiness for change from both internal and external stakeholders. Additionally, there would be a rise in administrative complexity due to the considerable implementation considerations involved in ensuring adequate mental health support services and additional programming for every inmate in federal correctional facilities. Given that vulnerable inmates comprise between one-third to one-half of the federal correctional population, this would involve rigorous implementation considerations. As a result of this evaluation, this policy option receives a low score of 2 for feasibility.

Chapter 8.

Policy Recommendation

8.1. Recommendation

This paper recommends increased research, accountability, and monitoring in federal correctional facilities (Option 2) to address the excessive use of punitive measures used in Canadian facilities and increased rehabilitation. This option stands out among the alternatives proposed, earning the highest score in the societal and governmental objectives analyzed. It directly targets the objectives of effectiveness and equity by tackling the harsh punitive atmosphere prevalent in federal facilities and fostering rehabilitative outcomes. Moreover, this policy option enhances the safety of vulnerable inmates and contributes to the overall well-being of those suffering with mental health conditions. It is also the most practical policy option in terms of budgetary considerations and feasibility.

This option directly addresses the research question outlined previously: How can criminal policy reform effectively address the excessive use of punitive measures in Canada's federal correctional facilities, which negatively impacts rehabilitation outcomes for inmates with mental health conditions? This option enables further data collection to identify limitations with existing practices in facilities, while also providing a tangible option for implementing more progressive penal practices in Canada. Furthermore, this report identified vulnerable inmates as the population most disproportionately effected by punitive measures, and this policy option would provide the greatest amount of support to inmates struggling with mental health disorders.

The data collected and literature examined repeatedly testifies that greater research, accountability, and monitoring is the key to addressing a lack of rehabilitation in federal facilities. In summary, one article states that "At its core, in order to manage risks to inmates and ensure federal offenders have the best opportunity for reform, [oversight bodies] must ensure that correctional employees are properly assessing the complex needs of each offender" and that the adequate resources are available to ensure that each inmate is receiving the care that they need to safely reintegrate into the community (Neufeld, 2022).

It is essential to highlight that throughout the data collection phase, a recurring theme emerged: ideally, all proposed policy options would be implemented to address the ongoing abuse of inmates in prisons. However, such a comprehensive approach would require significant financial investment and stakeholder support. Therefore, it was recommended by experts that the most effective strategy is to select the policy option that can swiftly mitigate punitive measures being utilized on inmates while enhancing their mental well-being, with minimal need for extensive reforms. Nevertheless, even with the implementation of more rigorous research, accountability, and monitoring practices in federal facilities, further critical steps must be taken. These include the other proposed policy options of providing mental health training for personnel and expanding programs and services for inmates within facilities. Meaningful prison reforms are imperative to systematically improve the dire conditions within prisons. While the recommended policy option represents a crucial starting point, it is not a final solution. Instead, it marks the beginning of efforts to enhance conditions within correctional facilities.

8.2. Limitations

One key limitation to this study, is that CSC did not provide input to this research. Despite numerous attempts to reach out to them, the study proceeded without their participation. However, insights from literature review, contributions from academic experts, professionals with experience in federal facilities, and a representative from OCI all point towards a need for significant changes within CSC facilities. Another limitation lies in the scarcity of data concerning the specific instances of punitive measures employed in prisons. Originally, the study aimed to provide quantitative data on the frequency of such measures across federal facilities. However, there is a scarcity of publicly available information on these instances, particularly regarding their impact on vulnerable inmates. Therefore, implementing a policy option that encourages further research into correctional facility practices would lead to the availability of more data, making precise statistics more accessible.

Additionally, a limitation emerged from the constrained timeframe for data collection. The collection period spanned three months, during which many potential participants were unable to take part due to various constraints and capacity limitations.

With a longer data collection period, more expert interviews could have been conducted, resulting in a greater number of responses.

Lastly, before beginning the research process and throughout each step personal biases and positionality were reflected upon. As a white, cisgender woman my positionality differs from the individuals that been interviewed regarding matters of prison reform and from those individuals who are serving sentences in Canadian correctional facilities. Furthermore, many of the inmates in Canada's institutions today are members of marginalized or vulnerable communities. Thus, there are personal limitations to fully understanding the impact of Canada's current correctional operations. However, by recognizing my privileged status and unconscious biases at the forefront of this research, my belief is to positively use this unique position to make meaningful change in Canadian institutions.

8.3. Next Steps

The next steps for increasing research, accountability and monitoring in federal facilities involves a multi-faceted approach. First, academic institutions and other independent organizations should begin conducting comprehensive research into instances of excessive punitive measures within federal facilities and identify areas for improvement through rehabilitative practices. This research should involve thorough data collection and analysis to identify patterns, trends, and the prevalence of punitive measures, particularly concerning vulnerable inmates. Researchers should ensure the integrity and impartiality of their findings, adhering to rigorous methodologies and ethical standards. The data collected should then be made publicly available through public reporting to ensure other researchers, policy analysts, and relevant personnel have access to the information obtained to uncover information regarding instances of targeted punitive measures or other tactics that decrease rehabilitation. Lastly, increased research on correctional facilities may inadvertently bring attention to the importance of mental health education among staff and potentially enable culture changes within prisons, which could also enhance prison conditions.

For oversight practices, CSC should begin by undertaking a thorough review of existing practices within federal facilities, ensuring alignment with existing CSC policies and regulations. Collaborative input from the OCI should be sought out to identify gaps

and areas for improvement in accountability mechanisms. Monitoring should involve regular visits to prisons by CSC administrative staff, who are responsible for implementing policy changes within the facilities to enhance rehabilitation opportunities. Additional oversight could extend to the OCI staff during routine facility visits, with prompt action taken by CSC management in response to any reports of unfair treatment by inmates. Furthermore, random audits by the OCI should be conducted routinely to ensure an accurate understanding of operational practices within federal prisons.

In addition to increasing supervision in facilities, it would be beneficial for CSC to adopt further oversight mechanisms like those used in Finnish correctional facilities, fostering a more transparent environment. Similar to Finland's approach, this could involve welcoming independent inmate advocacy groups and human rights observers to federal facilities. Furthermore, alongside oversight by the OCI, CSC facilities could regularly report to the Canadian Human Rights Commission and allow representatives from this entity to conduct unannounced audits. This would enhance oversight and accountability within federal facilities, serving as an extra assessment measure within the prison system.

Regarding accountability, clear protocols should be established for reporting and addressing instances of excessive punitive measures, with appropriate disciplinary measures for non-compliance. CSC should enforce strict adherence to policies and regulations regarding the treatment of inmates, particularly those with mental health conditions. CSC management should actively engage with stakeholders, including staff members, inmates, advocacy groups, and external oversight bodies, to solicit feedback and address concerns related to the implementation of enhanced practices. Regular monitoring and evaluation mechanisms should be established to assess the effectiveness of the implemented changes and identify areas for further improvement.

Finally, transparent communication channels should be maintained to keep stakeholders informed about progress, challenges, and outcomes related to the policy implementation process. A notable issue that arose continually throughout this research that contributes to the ongoing use of harmful policies and practices in correctional facilities is the insufficient awareness or concern of human rights abuses taking place within Canadian prisons. As a result, the general public's lack of awareness or concern results in the overuse of punitive measures targeting vulnerable inmates, as reform

within Canadian correctional settings is less likely to occur without pressure from the public.

A 2017 Ekos Research Study found almost three-quarters of the Canadian public polled believes that correctional facilities are promoting the successful rehabilitation and reintegration of offenders (Ekos Research, 2017), which is in direct contradiction to the literature which outlines that prisons increase recidivism (Perrin, 2023). Furthermore, results from this study suggest some uncertainty or ambivalence among the Canadian public with regard to the extent of the use of incarceration in the criminal justice system. Respondents generally agree that incarceration should be reserved for those committing serious crimes but only half of the Canadian population agree that there are too many people incarcerated in Canada (Ekos Research, 2017). This overarching lack of knowledge is further emphasized almost 15 percent of respondents responding “don’t know” to these questions, suggesting a lack of awareness or concern (Ekos Research, 2017). When it comes to specifically analyzing public perceptions on the over-representation of those with mental health conditions in the criminal justice system half of respondents would like to see greater investment in the use of community-based mental health alternatives to incarceration (Ekos Research, 2017). However, only one-third of respondents think that the courts should have greater discretion in charges and sentences for vulnerable populations of inmates (Ekos Research, 2017).

These results exemplify the public's lack of attention, awareness, and indifference towards inmates in correctional facilities in Canada which highlights a significant obstacle to advancing reform projects within correctional facilities for vulnerable inmates. Public opinion is often cited as a major reason for politicians to advance crime policy, and this is exemplified through the crafting and implementation of mandatory minimum punishments (Department of Justice, 2023). Due to the general evidence that the Canadian public supports strong penalties for some types of crime and the public perception that sentences are generally too lenient, public opinion is paramount for advancing reform projects within the criminal justice system (Department of Justice, 2023).

All of this underscores the critical necessity for public backing of progressive rehabilitative policies in correctional facilities and increased awareness of the excessive use of punishment targeting vulnerable inmates. This can be achieved through greater

public education on correctional operations in Canada and more launching more comprehensive awareness initiatives to highlight the considerable challenges faced by vulnerable inmates. By improving research, accountability and monitoring, CSC can initiate significant reforms to address regressive practices within facilities, resulting in substantial enhancements in the treatment of vulnerable inmates and the overall functioning of federal correctional facilities.

Chapter 9.

Conclusion

Through conducting expert interviews, reviewing relevant literature, and completing coding and thematic triangulation, several key findings have emerged. Firstly, there is a consensus among experts regarding the urgent need for reform, emphasizing the importance of introducing better training processes, enhancing oversight, providing greater mental health supports for vulnerable inmates, and improving access to education and vocational programming. The evaluation of policy options using the MCA framework has identified increased research, accountability, and monitoring in federal facilities (policy option 2) as the recommended approach. By prioritizing these mechanisms CSC can mitigate the use and adverse effects of punitive measures, ultimately fostering a more equitable and rehabilitative environment.

Looking ahead, future research endeavors could explore the longitudinal impact of policy reforms on inmate outcomes, such as recidivism rates and impacts on mental health. Additionally, further investigation into the specific experiences of specific vulnerable populations, such as racially marginalized inmates and those with complex mental health needs, could inform targeted interventions and support strategies. Moreover, research into ongoing collaboration possibilities between researchers, policymakers, correctional staff, and advocacy groups will be essential for sustaining momentum towards meaningful reform.

Addressing the issue of excessive punitive measures in prisons requires a comprehensive approach. Expanding research, accountability, and oversight within prisons is crucial as an initial step, but it is evident that more extensive and substantial changes are necessary within the penal system. While in official documentation Canada prides itself on a progressive correctional system, there are significant systemic issues that need to be addressed, including the need for an ideological shift in attitudes among prison personnel and the Canadian public away from supporting punitive practices. By improving prison conditions, meaningful strides towards facilitating successful rehabilitative practices can be accomplished and vulnerable inmates can receive the necessary support they require.

Ultimately, the challenge of excessive punitive measures in prisons demands a drastic transformation of current operations, one that extends beyond mere policy adjustments to encompass a fundamental shift in the systemic and cultural frameworks governing correctional institutions. Fostering a climate of empathy and understanding, coupled with tangible improvements in prison conditions, Canada can pave the way for a truly rehabilitative environment where every inmate, particularly those most vulnerable, are afforded basic human rights.

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Appendix A.

Interview Guide

Introduction

- Greeting the interviewee and briefly reiterating the objectives of the research project as laid out in the recruitment script and consent form.

Consent:

Before we begin, I need to confirm your consent for participating in this research study to ensure a transparent research process.

As outlined in the consent form, your responses given today will be kept confidential. Your interview will be transcribed and coded and will not be identifiable after this process. I now have four questions for you.

Q1: Do you agree to being audio and/or video recorded?

Note: If yes, begin audio/video recording. If not, a written note will be made in personal notes.

Q2: Did you have the opportunity to read the consent form?

Note: If the response is no, the consent form will be reviewed with the participant. Following this, or if the response to the previous question is yes, I will ask the following question:

Do you consent to participating in this study, and consequently, agree to the terms of the consent form?

Q3: Do you consent to potentially receiving a follow up email with any subsequent questions that may arise during the analysis phase of this research?

Q4: Bearing in mind that no identifiable participant data will be used following this interview, do you consent to having the data collected be publicly available for possible

future use in academic journal publications, presentations at academic conferences or future studies?

Background and Information:

Q1: Can you please provide some background information regarding your role and responsibilities at (*insert institutional name here*)?

Q2: How long have you specialized in the area of (*insert area of specialization here based on previous response*)?

Core Questions:

Why this problem might be occurring:

Q1: Could you please provide an overview of your familiarity of the conditions encountered by inmates within Canadian correctional institutions?

1. Do you believe that inmates with mental health conditions face an excessive use of punitive measures in these facilities?
2. If so, do you think this affects an inmate's chance of successful rehabilitation?

Q2: Do you believe this situation has become better/worse over time?

Possible Policy Solutions:

Q1: Based on your research and expertise, what policy options or recommendations do you believe could effectively address the excessive use of punitive measures in correctional facilities?

If no concrete answer is provided:

1. Some data indicates that redirecting funding within correctional facilities to mental health resources, as opposed to using funding for guards, may reduce excessive punishment within prisons. Do you agree?
2. Some data indicates that implementing monitoring policies within facilities to specifically protect inmates' rights may be effective. Do you agree?

Q2: How do you foresee these proposed policy reforms impacting the treatment of inmates and the overall rehabilitation within the correctional system?

Q3: Are there any challenges or obstacles that might be encountered during the implementation of these policies?

Q4: What, in your opinion, are the key barriers to implementing more progressive penal policies within correctional facilities?

Existing Literature and Research:

Q1: Can you offer insights into jurisdictions with differing correctional policies and how this might impact the use of punitive measures?

Conclusion/Snowball Recruitment:

Q1: Are there any resources you would recommend that I look into that would be beneficial to this research and provide more insight on this topic?

Q2: With your consent, could I send you an email following this interview with the recruitment information for this study and my contact information, and if you know of anyone who may be interested in participating in this study, we ask that you forward them this information?

Appendix B.

Data Collected but Not Formally Integrated

Public Awareness and Perceptions

Another theme identified by the experts that requires greater focus is the widespread lack of public awareness regarding the challenges faced by vulnerable inmates in prisons and the prevailing public perceptions surrounding rehabilitation. One academic described the challenges of promoting and implementing progressive penal policies that prioritize vulnerable inmates in the face of opposition from politicians and the public. One such example provided was the BC Provincial Board of Parole which included Community members who played an integral role advocating for lenient considerations for inmates with mental and physical ailments. However, this Board was ultimately abolished due to discontent from the public and negative press from politicians. This was replaced by the federal Parole Board of Canada that oversees both provincial and federal inmates in Canada. Another expert echoed these statements emphasizing that it is nearly impossible:

To convince all of your community and all of your politicians [that reform is necessary] when more than 50 percent of Canadians still support the death penalty. So if your Canadian public is not supportive of the prison system in any way shape or form, and want to just throw away the key and let inmates burn, then prison reform is not an overnight thing.

Later, this expert emphasized that the Canadian public fails to recognize that inmates with mental health issues should not be treated the same as those who are rational actors. Therefore, advocating for harsher sentences and increased punitive measures in prisons without considering these factors is an unjust response from the public.

The public's clear lack of understanding and biased perceptions poses a significant obstacle to reforming the flawed penal system. Without support from the public the current status quo persists and as previously discussed, maintaining the status quo is untenable given the urgent need to improve conditions for vulnerable inmates within correctional facilities. This lack of awareness and sympathy from the general Canadian population causes apathy from government officials and individuals within the system who have a duty to reform the current penal system.

Appendix C.

Policy Options Considered but Not Formally Evaluated

Policy Option: Correctional Facilities Awareness Campaign for the Public

Another potential policy approach to tackle the systemic targeting of vulnerable inmates within correctional facilities involves launching a nationwide awareness campaign aimed at educating the Canadian public about the fundamentally rehabilitative role of correctional institutions and the prevailing conditions within them. Extensive data gathered during this study reveals a notable lack of support among the general Canadian populace for seemingly progressive rehabilitation approaches. Alarming, a significant portion of Canadians still endorse punitive ideologies, including support for measures such as the death penalty. Despite their intended rehabilitative purpose, Canadian correctional facilities are often perceived as strictly punitive institutions. This perception exacerbates the suffering of vulnerable inmates, particularly those with mental ailments, who bear the weight of such punitive practices. Increased awareness regarding the punitive practices targeting vulnerable inmates is likely to raise public concern about prison conditions, prompting further scrutiny of the current correctional system and advocacy for reform. Consequently, policymakers may face mounting pressure to launch inquiries and implement changes within correctional facilities due to the persuasive influence of public opinion. Despite corrections being a highly politicized issue, much of the data suggests that few people truly comprehend the purpose of correctional facilities and are unwilling to invest the effort to learn more. A public awareness campaign would serve to highlight the deteriorating conditions faced by vulnerable inmates. Ultimately, garnering public support for improved conditions is likely to drive policy and procedural changes within prisons, thereby reducing the reliance on punitive measures against inmates.

As noted previously, one limitation of the awareness campaign is its limited effectiveness in altering the perspectives of staunch advocates of punitive measures. The expert interviews revealed that attitudes toward harsher prison sentences reveal that many Canadians firmly believe that punitive prison environments are appropriate for individuals displaying deviant behavior. Although this is a regressive viewpoint, and in

contradiction of the goal of fostering a rehabilitative correctional system in Canada, it is likely that many individuals simply lack exposure to information about correctional facilities and the conditions experienced by vulnerable inmates in their daily lives. Therefore, while an awareness campaign may not sway the opinions of these steadfast punitive advocates, it holds the potential to educate the majority of the population about the severity of the situation and contribute significantly to improving conditions for vulnerable inmates.

As a result, key stakeholders (such as the greater Canadian public) may be convinced that the current penal policies are failing inmates and ultimately contributing to poor mental conditions for vulnerable inmates. This will lend to addressing more systemic issues within Canada's justice system, and recognition of these issues will help ensure that inmates have the highest chance of rehabilitation.

Policy Option: Implementing an Open Prison System in Canada's Correctional Landscape

This proposed policy option involves adopting an open prison system similar to Finland's model. This system, known for its effectiveness in inmate rehabilitation, offers increased rehabilitative opportunities. Low and medium security inmates have the autonomy to shape their daily lives through chosen activities and freedom of movement within the facility. Being unrestricted to cells greatly benefits inmates' mental and physical health, facilitating movement, participation in programs, and vocational skill development. While this approach could significantly enhance vulnerable inmates' prospects and reduce punitive measures by fostering understanding, it is currently not feasible in Canada. Implementing it would demand a complete overhaul of the current penal system and redevelopment of most, if not all, federal correctional facilities, posing significant financial considerations and requiring widespread support from stakeholders, the public, and politicians. Given Canada's relatively conservative stance on inmate rehabilitation, this option is unlikely to garner sufficient support for meaningful change.