

We would love to hear from you!

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the Sou' Wester

A grassroots newsletter on criminal justice & prisoner reintegration

Summer 2021 Edition

The Sou'Wester name is a reference to Montreal's Southwest, where Communitas began its work in 1999

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Loneliness and Restorative Justice

Otto Driedger, Professor Emeritus University of Regina

I came across an article in Maclean's, March 2021 which reminded me of the experience we (Florence and I) had with individuals coming back into society from incarceration and becoming core members in Circles of Support and Accountability (CoSA). It also reminded me of the many other ways in which we have been and continue to be involved in restorative justice issues and services. *Continued on page 2*



Getting into Harvard or being admitted to palliative care

By Marlyn Silverstone

We live in a society in which getting a place in Harvard is an enormous accomplishment, one for which candidates compete with all their strength. Palliative care, on the other hand, compassionate care for those

with terminal illnesses, is not, supposedly, in great demand. And yet you have to compete for a bed in a palliative care unit as well. I should know. I'm in palliative care right now. I call it my Harvard. Even when I was young and strong, I knew that I'd accept death when it came my way without heroic measures. I wouldn't take the counsel of the poet Dylan Thomas but would instead "go gently into that good night." (1)

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Communitas moves to a new office

As of August 1, 2021, Communitas has relocated to the Undercroft of Christ Church Cathedral located at 635 St. Catherine Street W. (mailing address 1444 Union). Many of you who attend Open Door will be very familiar with our new space as it is where we occasionally convene Open Door when our regular space at Fulford Hall is unavailable 2 or 3 times a year.

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Loneliness and Restorative Justice

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The article refers to the book “The Lonely Century: How to Restore Human Connection in a World That’s Pulling Apart” by Noreena Hertz. Reference is also made to the book “A Biography of Loneliness: The History of an Emotion” by British historian Fay Bound Alberti and numerous other references. In addition, she discusses numerous other experiences and references to research that address causes of loneliness, its implications and responses that have emerged.

In terms of causes, it is observed that increased loneliness began with “industrialization, the growth of the consumer economy, the declining influence of religion and the popularity of evolutionary biology, all of which helped propel the rise of individualism”. She further states “COVID ...has exposed every crack in our society from income inequality to our trust in one another, and exacerbated them all. But it caused none of them. As the researchers of the ‘loneliness epidemic’ demonstrate years ago, we were already there”.

Hertz quotes research on the effects of loneliness, “Nor is there any dispute over how deadly loneliness and social isolation can be. They have been tightly connected with a range of health problems, from heart attacks and strokes increasing by about 30%, to alcohol and drug abuse, to anxiety, depression and a staggering 64% higher chance of clinical dementia. In the now famous summation of a 2015 meta-analysis of studies that totalled 3.4million people tracked over seven years, loneliness is far worse than obesity, worse than 15 cigarettes a day.” She also identifies the increase in intimate partner and elder abuse and mental health issues.

Three major societal phenomena are identified as a result of loneliness. First, in industrially advanced capitalist societies several unique services have emerged. Examples cited include the development of a for profit agency that provides cuddles for hire at hourly rates of \$40.00 to \$80.00. Another example, some aged Japanese too poor to purchase robots as companions, commit minor crimes. One 78-year-old prisoner who lives alone described jail as “an oasis” where there are many people to talk to. Second, the rise of commercial co-working

spaces has seen the rise of companies providing such space. The importance of eating together at work places has a profound effect on productivity. The importance of doing things or being together as compared to being alone together.

The third point is the role of loneliness and alienation in the rise of political populism, especially “the contemporary world’s dominant right-wing variety.” Hertz cites a major study of 600 individuals in 17 European countries and found that “people who were members of civic association - volunteer groups and neighbourhood associations-

loneliness is far worse than obesity, worse than 15 cigarettes a day

were significantly less likely to vote for right-wing populist parties than people who were not”.

The article resonates with the work we do in restorative justice and CoSA, which is a program based on restorative justice prin-



ciples. We find a large percent of persons who offend and spend time in the criminal justice system experience profound loneliness, alienation and isolation. Upon returning to society from incarceration frequently means positive relationships have not existed or have been severed by incarceration. Frequently, if a person has offended sexually, they are abandoned by their family, no communities want them in their neighbourhoods, and it is very difficult to get a job. ult, the major relationships are with other perpetrators of harm which may lead to further offending.

Circles of Support and Accountability (CoSA) began in Canada in the 1990s where an artificial circle of 3 to 6 trained community volunteers would meet with a core member (an individual who has offended sexually) usually once a week for a substantial amount of time, frequently at least a year or more. CoSA facilitates positive integration (or reintegration) into society by mentorship, acceptance, facilitation of establishing positive relationships, finding housing, jobs and coping with day-to-day living without resorting to anti-social behaviour.

One core member who had a history of offending sexually against young women shared an experience he had. He said he had gone to a Tim Horton’s to get a coffee, and said he was sure the female server was coming on to him. The CoSA volunteers asked him to describe what happened. It was clear that she was doing her duty of being friendly and positive in her job, nothing more. Assisting him to recognize what is “normal” is important.

Research indicates that there is an over 80% pattern of less re-offending with a circle compared to not having a circle. The initial research was done by Dr. Robin Wilson and Andrew McWhinnie (2009). Subsequent research supports the findings.

This article was originally published in the Saskatchewan Restorative Justice Network newsletter The Collective and reprinted with permission.

For more information on CoSA, visit
www.cosacanada.com

Getting into Harvard or being admitted to palliative care

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When the Quebec government produced a document in 2014 (2) that asked how we wished to be treated if very ill, I duly filled mine out and sent it to the ministry. But that didn't mean I wanted to die if a cure was possible. Four years ago, in 2016, I had open heart surgery to repair a leaky valve. Two years previously I had a lump removed from my breast. And I carried on gratefully.

When I was diagnosed with lymphoma, in November 2020, my doctor suggested chemotherapy. Six monthly sessions and I'd be cured. I was reluctant nonetheless. "Try it once," said the hematologist/oncologist. And I did.

The outcome was disastrous. I was allergic to one of the two chemotherapy drugs. My internal organs, including my kidneys, shut down. I couldn't breathe. I might have died. I was a mess. They hospitalized me on the eighth floor of the Jewish General Hospital with the intent of bringing me back to where I was before chemo. I felt like a chemistry set, each of whose items had to be modified. I'd give them a chance. I decided on two weeks to get me back to pre-chemo condition.

In those two painful weeks, despite the physicians' efforts, I didn't get better at all. On January 2nd, two weeks after chemo, they told me my blood was infected, a very dangerous development that could, along with my failed kidneys, cause death. They gave me blood transfusions and intravenous antibiotics and water to flush out the kidneys. My legs were so inflated that I could barely walk. Then they gave me Lasix, which was supposed to dry up the water. A little counterproductive, one might say, even for a layman.

I knew that I had to get out of the hospital, and I talked to anyone who would hear me about palliative care — one palliative-care doctor and a nurse. They both supported my claim, but nothing was being implemented. Meantime my fragile veins were having more difficulty in accommodating intravenous tubes. It often took three attempts by the most skilled nurses on the floor to insert them.

On Saturday, January 2nd, I knew I had to stop the merry-go-round. When the first nurse arrived at 3 a.m. to apply intravenous,

I pronounced a strong "no." Two hours later, another nurse came by on some other mission, and I made the same response. Then I waited.

In the afternoon, Dr. Schwarz, the internist, and his team came to evaluate. They had a hard time believing that a person whose lymphoma might be cured, would opt for death. They thought I must be depressed. Of the depression theme I'd heard from other professionals, including nurses. One actually said I didn't eat lunch because I was depressed. Nothing was further from the truth. I resented this bedside quackery. My oncologist/hematologist took a different line: According to one of her colleagues, who served as her advocate, she "really liked me" and didn't want me to die. My only response was that I liked myself even more than she did.

The afternoon crept on. The debate continued. Another hematologist came to discuss my situation, as did a palliative care nurse who was compassionate but couldn't give me an answer without consulting her team. I knew that I couldn't go home alone and couldn't stay in treatment.

Then the tide turned. I was interviewed very thoroughly by a psychiatric resident summoned by internal medicine. She approved my choice of palliative care. She also interviewed my friend who had taken care of me for a few days when I was home.

The next day, the transfer was disgraceful. I was left in my room until 2 p.m. after one early morning visit by a nurse. Nobody looked to my needs for food or water. By noon, I was so hungry that I managed to climb out of bed. I asked for and received a soup, taken from a passing trolley, from a benign orderly. And I scolded the resident who came to apologize on behalf of his team. Even then there were two more hours to wait. (3)

Arriving at the palliative care unit in another facility, I thought I'd gone to Heaven.

Nurses and doctors interviewed me, getting to know me, feeding me, making me a cup of tea. I was so glad, feeling that I'd made it to Harvard.

In time, however, I've discovered that it's not perfect here. There's a shortage of staff in the early morning, and there's not always a response when you press the button. I know I can't blame the PABs (préposés aux bénéficiaires, i.e. orderlies or nurses' aides), especially on the morning shift when two

of them are responsible for the whole third floor. I could opt for sleeping pills and sleep all day long, but that's no life.

I still believe in palliative care and am making this, my last effort in this life, to promote it by writing this article. When it is completed, there will be nothing left for me to do. The advent of COVID has made palliative care less humane. But I'd still opt for it while we wait for better days.

© Marlyn Silverstone -- January 19, 2021

In November, 2020, valued Communitas volunteer and Sou'Wester contributor Marlyn Silverstone was diagnosed with Lymphoma, a type of cancer that affects the lymphatic system, a part of the body's germ fighting network. Marlyn's health journey brought her from chemotherapy to failing organs to palliative care. Remarkably, despite all odds, she since has recovered.

In this first of two articles, Marlyn looks back on this perilous time in her life.

1. Dylan Thomas, "Do Not Go Gently into that Good Night," (1947)

2. Act Respecting End of Life (Quebec, 2014)

3 *The less-than-ideal conditions at the hospital were doubtless because of the attention required by Covid patients.*





Communitas welcomes two new board members

The Annual General Meeting of Communitas was held via zoom on May 26, 2021, and a new slate of Communitas Directors was elected by acclamation.

In addition to the returning Directors (Steve, Michele, Roch, Pauline, Jeri), the Board has added new members Sabrina and Gordon, while Peter and Bill took their well-earned leave. They didn't get far, however—Peter continues to serve as an Honorary

Board member, while Bill continues to be very much involved.

Sabrina brings to the Board great experience as a current Chaplain at Federal Training Centre in Laval. In addition to her daily connection with incarcerated men where she provides support and guidance, she will be integral in connecting Communitas with men preparing to return to the community who need accompaniment in reintegrating.

Gordon has for many years played essential roles in this organization. Of special interest is his initiative in bringing issues related to ex-inmate members of Communitas to the attention of the Board or of the relevant persons who might assist. His hands-on approach and ear to the ground will be invaluable as Communitas continues to strengthen its support for the reintegration into society of men coming out of prison.



Communitas is pleased to welcome a new member to the Coordination Team – Mr. Brent Walker.

Having recently arrived in Montreal from Nova Scotia, Brent joins Communitas as the CoSA Operations Coordinator and will be working with Circles of Support and Accountability (CoSA) starting this month.

Brent brings great life experience to Communitas having been a Prison Chaplain, Teacher and Minister in the United Church of Canada. He is a Spiritual Director with the Ignatian Centre, and leads retreats.

Brent's interests are many and varied including: spirituality, literature, meditation, theology, mysticism, philosophy, narrative methodology, hermeneutics, poetry, teaching, exploration, travelling, spiritual pilgrimage, restorative justice, music, canoeing, and wilderness expeditions.

Communitas looks forward to working with Brent as he shares his many talents with our organization.



Communitas moves office!

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We are very pleased to be working more closely with the Cathedral that has supported our Open Door programme over the past 15 years. The pandemic and Communitas' consequent reduced financial circumstances have been the impetus for this move, however we are confident that our new centrally accessible location in the heart of downtown Montreal at McGill metro will be an asset for all our members and we expect that as the pandemic situation eases we will be able to resume all our activities there, including Table Talk –

which has not been held since March 2020!

The move was expertly organised by Gordon and Dave, and with the packing and organizational management of Bill and Jeri, the man-power of Kevin and Dave in shifting furniture, and general help with moving boxes from Alan, Peter, Steve and Monika – it went off without a hitch. A special thanks to Gordon who insisted on lifting boxes even with cracked ribs sustained the day before in a fall!

Our new mailing address is: 1444 Union Avenue, Montreal QC H3A 2B8. Our telephone number remains the same: (514) 843 6577.



I have been on a path of understanding the Power of Listening*.

Communitas volunteer Fraser reflects on his participation at Open Door.

It is such a great gift, to be heard. I wish that everyone could know what it is like to be with someone who is truly engaged with what we are expressing. It feels very satisfying, but I have struggled to be the one who really listens. It has been pointed out to me many times that I have two ears and one mouth, indicating that I should listen twice as much as I talk. I admit that this 2:1 proportion is difficult for me to attain.

Communitas has helped me to listen better. I joined in the middle of the lockdown of 2020, discovering a community that wants to hear what I have to say. More importantly, it is a place where I have had the chance to listen to what others have to say. From incredible people, I have learned about topics ranging from bacteria to budgeting. Every presentation has taught me something new and some have truly inspired me. For example, after seeing the interest that members had in Ravens, I also myself became fascinated. I know that this bird has important things to tell me.

By following the tales and legends of Ravens, I was led to the principle of Deep Listening. Dadirri is one of the original terms referring to the concept of deep listening. It is a word used in the Ngan'gikurunggurr and Ngen'giwumirri languages of Australia. It is sometimes translated as "Can you bend

the knee?" or "Can you truly listen, to effectively absorb information?" By definition, Deep Listening is just what it sounds like. It is a way of connecting with others on a deeper level, trying to understand more

profoundly. It can be seen as a spiritual skill, based on respect and on a true desire to connect with one another. To better listen to someone else, one must first listen to oneself. One strives for inner quiet, for still awareness. Then, one will be more at peace and so better able to connect with others.

Thanks to Communitas (and the Ravens), I am becoming a better listener. I can see the true power of listening. I understand how it can become a chain reaction. First, someone listened to me, which made me want to show the same respect to another. It makes me wonder what would happen if everyone actually listened. A listening revolution might just change the world.

Fraser

**I recognize that many people are actually unable use their ears to listen or their mouth to speak out. Words like "listening" and "speaking" can be applied analogously to any form of communication (as in sign language, for example).*



Open Door 20th anniversary book

The Open Door 20th anniversary book will highlight the many interesting people who have attended on Tuesday night and the memories that being together has given us.

Below are extracts – a sneak preview- of some of the many contributions received for the book.

I was running AA meetings at FTC and one of the older inmates brought a pamphlet about Open Door and said “You should check this out.” So I dropped by one Tuesday, and it was real, authentic. I thought to myself, “I need this.” I was approved as an escort driver, also known as the “get-away driver.” Lots of traffic – a bit of a pain to pick-up/drive back/drive home – but every time I was high on it. – K

For example, in my work as a banker, I’ve seen ex-offenders arrive with insufficient identification and questionable cheques, placing them at further risk. Situations like this could be prevented with programs that help ex-offenders move forward. – P

When I moved to Montreal, I found a birding store, Nature Expert, the owner was selling and it was offered to me. A customer at my store showed me photo she had taken of a great horned owl with its claws in the neighbour’s cat. When I showed that picture at Open Door, one man cried, « I will never forget this picture as long as I live! » When you talk about certain birds, it evokes memories and a lot of people at Open Door shared their stories. – A

One of my favourite memories was actually one of my first Open Doors. It was the first or second Open Door of the New Year, where we look back on the previous year of our lives and look forward to the coming year. I felt that I had fallen into a very intimate community that practiced communion freely. It was a weirdly magical night. Walking home through the McGill ghetto, everyone was dressed in super-hero costumes. There was no question that first night of the New Year that I would return to Open Door. – M

Because I have spent time in jail I know that people are not empowered there, not looked at. We all need a second chance. If I didn’t

have that I wouldn’t be here now. I continue to be a Community Organizer, working with youth in Little Burgundy. I also work in a media centre and am a Senior Mediator doing interventions. I received funding to provide entertainment for people who can’t leave their homes during the pandemic and also to do work in the parks. I hired ten young people to work with me and I also work with Union United Church. I just released two albums, We Know Who We Are in November and At the Rock in May. I am a bit overwhelmed but I trust in God to give me only as much as I can do. – R

I’m the Chair of the California State University Project Rebound Consortium, supporting the higher education and successful reintegration of formerly incarcerated people. Correctional Officers are one of the largest political contributors in California. Their influence has subsided over the past five years and this is an unprecedented political opportunity to do our work. Activists have done a good job here of educating the State legislature about how punishment has been used to address problems. The data is clear that incarceration exacerbates the problems. – B

Open Door meetings over the summer

Every Tuesday evening at 7:00, fans of Open Door gather on Zoom. We’ve recently shared some great presentations:

Canada Quiz Day. Everyone enjoys Margaret’s annual Canada Day Quiz. She gives each of us a question on events from history, prominent Canadians, or questions about stuff that’s going on today. It doesn’t matter if you get the answer right or not. If you don’t know the answer, then she directs the question to the group and someone is bound to know the answer. Then, once we get the answer right, the participant gets to tell a Canadian story or joke. We love this evening!

Life at The Hague: Jana worked as a lawyer in the city of The Hague in the Netherlands. In this city is the United Nations’ International Court of Justice, headquartered in the Peace Palace, and the International Criminal Court. It was refreshing to see a city dedicated to peace.

Global Wind Day: The theme song tonight was the Scorpions’ Winds of Change. June

15 is Global Wind Day and harnessing the power of the wind is a change that the planet could use to replace fossil fuels. It’s slowly taking hold in many parts of the world.

Your Citizen’s Rights when you face the Police. We had this presentation in 2014 and in 2017. It’s important to keep repeating. Third-year law students Matt and Seth from the Legal Information Clinic at McGill walked us through how the Canadian Charter of Rights and Freedoms protects us against police misconduct, and how to deal with police in various situations. We’ll keep asking the LICM for an updated version of this presentation every few years.

A Tale of Two Emergencies: the British Columbia Opioid Crisis and Covid-19. One of the beauties of Zoom is that our volunteers can join Open Door from across Canada. Mana works in public health in BC. Since being alone while using drugs is the number one cause of overdose, Covid-19 social distancing laws caused an increase in the number of overdose deaths in BC. Meanwhile, the BC government’s legislation to decriminalize illicit drugs was not based on consultation with drug users and therefore actually ended

up increasing its criminalization. An informative presentation on a very serious situation.

Cognitive Neuroscience. Sylvestre just graduated with a bachelor’s degree in cognitive neuroscience and he’s so glad to be done. He explained some of the key developments in brain research and showed us CAT scans of healthy and unhealthy brains. We learned that there is no such thing as a “normal” or ideal brain: all brains are different and we all make sense of the world using our unique brains.

The Five Ds of being an Active Bystander. When an injustice, an aggression or an emergency is happening on the street, the victim does not want a bunch of passive bystanders to stand around doing nothing. Tonight we learned how to be a safe, active bystander, how to de-escalate difficult situations and give support to the victim. The following week a member of Open Door witnessed an aggression on the street and was able to de-escalate the situation and protect the victim. Another Open Door attendee told the Coordinator, “For years I’ve used those tips each time I see a guy bother a young woman on the street. It works every time.”

Communitas was not the only social re-integration group in Montreal that was heavily impacted by COVID.

Here is how some of our partner organizations weathered the health crisis.



Centre de service de justice réparatrice

Despite being forced to close for 5 months due to the pandemic, the CSJR was able to be creative in continuing its mission to accompany and support people affected by abuse and violence, as well as to raise awareness and provide training in restorative justice.

Our restorative justice meetings and workshops in prisons and indigenous communities had to be postponed due to health protocols. However, we transitioned our other workshops and training to the virtual world which has been very successful. A new service was also created, the Transfolab, which is aimed at a wider audience who want to apply restorative justice principles in their lives. Also created was an empathy circle to prepare for restorative justice meetings. The accompaniment of the Comité des expropriées de Mirabel allowed us to explore what we can offer after collective traumas in society.

2020 has given us some beautiful, liberating and transformative experiences. In total, 60 individual interviews were conducted and two face-to-face meetings on incest were held at the beginning of 2020. Another ten or so meetings were planned for the spring, but the pandemic forced us to postpone them. Despite our attempts to conduct face-to-face meetings in virtual mode, the conditions of Public Health and the penitentiaries unfortunately did not allow us to resume restorative justice meetings, either in groups or face-to-face.



**Présence
Compassion**

Présence Compassion

Présence Compassion has had to cease all street outreach and group activities at the request of the employer, the Fabrique de la paroisse Notre-Dame de Montréal. In fact, in March 2020, the vast majority of the Fabrique's employees were laid off for an indefinite period with financial support from the government (ECP) and unemployment thereafter. That said, we continued to provide support to people in need or in crisis on a voluntary basis by telephone and occasionally in person. We had to find another solution to renew our lease as our employer had informed us that he would no longer be responsible for the costs and the rent.

Finally, on May 14, after 14 months of waiting for a possible return, my assistant and I were informed that our two positions were being abolished. Following this bitter decision, we rolled up our sleeves and decided, with the support of the Montreal Catholic diocese, to continue with this mission after 20 years of existence. Since July 13, we have reopened the premises and we are humbly starting to resume our activities. In order to find new sources of funding, we are in the process of incorporating Presence Compassion and becoming an independent non-profit organization.



Corporation Jean-Paul Morin

Life at the Corporation Jean Paul Morin was shaken up quite a bit by Covid. On March 13, 2020, activity ceased at the organization, just as it also did for most individuals. Most of our activities take place in CSC institutions with our Arc en Ciel restorative justice workshops. This workshop is offered to inmates of various detention centres and each participant is accompanied by the same volunteer for the duration of the workshop, i.e. from 6 to 8 weeks.

We started a workshop in mid-January but it has not been completed yet, as we have only had 4 meetings. One of the participants was able to benefit from telephone support from the volunteer with whom he had been matched, in order to complete the workshop, and he was very grateful. For the other participants we are in the process of offering them the possibility of completing the workshop in the next few weeks.

For Christmas, with the collaboration and participation of Relais Famille, le Phare de Longueuil, Présence Compassion and several volunteers and families, we handed out 1825 cards to the inmates of the following institutions: CFF 600 and 6099, Centre régional de réception, Centre régional de Santé Mentale, Unité spéciale de détention (SHU), Archambault médium, Archambault minimum, Port Cartier. After the distribution of the 1825 cards we received another batch of 375 cards which were given to the inmates of Drummond Institution, for a grand total of 2200 Christmas cards! Communitas also participated.



Will class action fans please raise their hands.

Thank you.

I see that includes most of our readers, which is no surprise, as Canadians in recent years have increasingly turned to this hugely effective riposte to corporate and government abuse. Of most interest to our Sou'Wester community, a significant branch of that movement is populated by aggrieved prisoners in search of justice.

On July 25, 1982, a bloody riot convulsed Archambault Institution, then a maximum-security penitentiary, killing three correctional officers, and precipitating in its wake a flood of allegations of torture and mistreatment, originating especially in the segregation unit. Archambault's population famously responded by launching a decade-long class action, a rare animal in those days. Ultimately, fraught with logistical challenges, the case failed to convince the court.

Today, high profile law firms experienced in the complexities of this often unwieldy civil law remedy routinely service carceral customers alongside their traditional clientele; and well one may wonder if these specialized firms have discovered the delights of correctional litigation because of the proliferation of supplicant prisoners; or have prison plaintiffs been drawn in droves to class action remedies by the augmented accessibility of expert firms with a viable fund-

ing model for the legal representation they have always craved? Whatever the explanation for the explosion of cases, something's definitely afoot, and the system has to be feeling it. It is not for nothing that CSC national headquarters operates a stand-alone Class Actions Management Office.

Among the numerous carceral class actions percolating in Quebec, two are now at a boil.

ROGER LÉONARD v. LA PROCUREURE GÉNÉRALE DU QUÉBEC

By the terms of the settlement reached with the firm of Trudel Johnston & Lespérance, and approved by the Quebec Superior Court on April 19, 2021, the Quebec Government has agreed to cover the costs of bringing the action, and to compensate persons who were strip-searched after a court order that they were to be released and all conditions for their release had already been completed. The strip-search must have taken place (1) between July 13, 2006, and July 1, 2011; and (2) at any of the following facilities: Bordeaux, Rivière-des-Prairies, Roberval, Saint-Jérôme, or Québec (male sector). Members of this group will be eligible to receive up to \$1,000 for each illegal strip search, up to a maximum of \$10,000. Note that only one search per day is eligible, and that this lawsuit does not cover searches conducted by the police.

Everyone who wishes to make a claim must fill out the claim form (one per person, regardless of the number of searches) which is now available electronically or in paper format at <https://asrsq.ca/recours-collectif>, and submit it by January 16, 2022, to the

Association des services de réhabilitation sociale du Québec (ASRSQ). More information may be obtained by calling the ASRSQ at 1-888-FOUILLES.

GALLONE; REDDOCK and CAMPBELL; BRAZEAU and KIFT

Who would deny that when you have a horse in the race, the outcome is all the more eagerly anticipated. Hence the lively interest of certain Sou'Wester readers, who will rejoice to learn the civil courts have now definitively ruled that CSC's use of solitary confinement was a violation of their rights, and an indefensible affront to the Canadian and the Quebec Charters of Rights and Freedoms—and for that, there is a price to pay.

The Sou'Wester has previously reported on a series of cases before the superior and appellate courts of Ontario and British Columbia ordering changes to the federal regime of solitary confinement. Now, as the civil cases wrap up, with the federal government poised to make penance for the harm it has wrought and finally acknowledged, the picture becomes more complicated, for three somewhat duplicative class actions were filed in two provinces on behalf of overlapping groups of federal prisoners.

In Quebec, the firm of Trudel Johnston & Lespérance launched Arlene Gallone's lawsuit in February of 2016. (No need to panic if you are a dude—Ms Gallone's case was brought on behalf of all genders and sexes.) The Open Door faithful will recall an able presentation in Fulford Hall by the firm's representative, Clara Poissant-Lespérance, one of the counsel piloting the file. Broadly described, the litigating class in Gallone includes individuals who, after February 24, 2013, have served more than fifteen consecutive days in administrative segregation in a Quebec penitentiary, or a total of more than fifteen days not interrupted by periods of more than 24 hours; or who experienced an administrative segregation placement of any length if they were diagnosed before or during that placement with an Axis I mental health disorder (excluding substance abuse) or Borderline Personality Disorder, and reported they were suffering from its effects.

The Brazeau case filed in the Superior Court of Ontario in 2015 calls for compensation of federal prisoners throughout Canada (except those already eligible to receive under Gallone) who, after November 1, 1992, were segregated for any period, while diagnosed by a medical doctor with an Axis I Disorder

(except substance abuse) or Borderline Personality Disorder, were suffering from that disorder, and reported this before or while in segregation.

The Reddock case was launched in Ontario in 2017. Like Brazeau, its class encompasses federal prisoners across the country, but it deals solely with placements in administrative segregation for 15 consecutive days or more after November 1, 1992. The Reddock judgment excludes anyone who is eligible for compensation under the Gallone or the Brazeau decisions. Thus, a federal prisoner in Quebec who was segregated for an unlawful period after February 24, 2013, will be eligible as a member of the Gallone class; a Quebec prisoner unlawfully segregated between November 1, 1992, and February 25, 2013, will benefit from the Reddock decision; and a Quebec prisoner who was segregated despite suffering from an acknowledged mental health disorder will be eligible through either Gallone or Brazeau, depending on the date of CSC's unlawful conduct. Note that all three class actions apply also to segregation which is voluntary.

The groups we find in the final court judgment are not necessarily as they were defined when the three actions were first presented to the courts. After initiating their respective cases, law firms in two provinces pursued a perseverant campaign to consolidate the attack and achieve a coherent, unified result. Through multiple hearings entrusted to a single jurisdiction, the prisoners' representatives have crafted three interlinked classes of plaintiffs which all are regulated by the same rulings of the Ontario Superior court. In that court's decision of September 10, 2020, the Government of Canada consented to judgment confirming its liability for unjustifiable violations of the Charter of Rights. On July 23, 2021, the Court designated Epiq Class Actions Services Canada Inc. as the sole administrator and distributor of compensation, so that the three class action results will now function as one.

The period for registering claims will not begin until September 7, 2021. Everyone who wishes to be considered for compensation will have to register their claim by September 7, 2022 in one of three categories, or tracks. If you are currently serving a federal sentence inside or outside the penitentiary, the Claim Form may be had by downloading it from the website www.Segregation-ClassActionFederal.ca; emailing to info@SegregationClassActionFederal.ca; writing

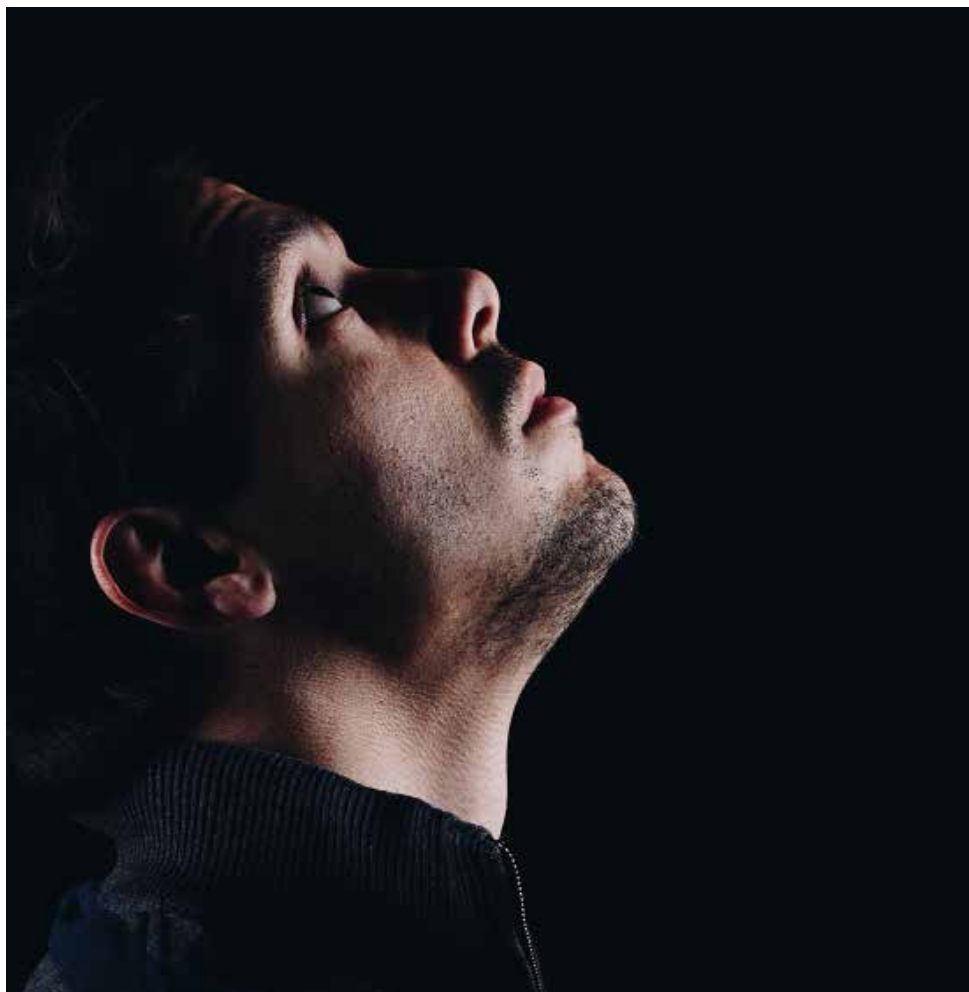
to Federal Segregation Administrator, P.O. Box 507, STN B, Ottawa ON K1P 5P6; or by speaking with Epiq at 1-833-871-5354 (toll free). Paper copies will be available in the penitentiaries and provincial prisons, and in the common room of the halfway houses.

You will need to decide if you wish to claim through Track 1, where no additional evidence or preparation is needed to participate in the equal distribution of the twenty-eight million dollar fund set aside by the Government of Canada; or under Track 2 or Track 3, both of which expect you to submit evidence and arguments of psychological or physical harm in order to qualify for awards potentially larger than the equal distribution amount. In Track 2, your proof of harm will be assessed by a medical expert, who will make a recommendation to the court. In Track 3, which handles eligibility for the largest potential awards, submissions will be directed to a judge and may require appearances before the court. Assistance in choosing your track and in preparing and arguing claims of greater harm may be had from the class action counsel, or from another lawyer of your choosing with whom you have made

financial arrangements. Claimants will pay legal fees of up to 15% of any Track 2 compensation amount ordered in excess of the Track 1 basic equal participation amount. Use of counsel in Track 3 will require your own legal fee arrangements for any excess compensation ordered by the court.

CSC has supplied the class action counsel and the Administrator with eligible offenders' names, date of birth, FPS, and the dates of entering and leaving administrative segregation. CSC will also provide claimants with file information needed to make a choice of tracks, and with additional file documentation where claimants have chosen Track 2 or Track 3. Claimants will be able to request additional file documentation for use in choosing a track or supporting an argument of psychological or physical harm. All the information available to the class action counsel will also be available to any other counsel chosen by the claimants.

Steve



Sou'Wester interview



New board member Sabrina Tucci

SW: How long have you been working as a prison chaplain?

ST: It'll be ten years on August 1st of this year. I started at Leclerc, where I was a chaplain until 2013. And since 2013, I've been at Federal Training Centre, or CFF, as everyone says.

SW: What part of being a prison chaplain do you like the best?

ST: The part that I enjoy most is what I have the least time for, having one-on-one conversations with the inmates, hearing their stories, being present for them. This listening role sounds easy but it can be a challenge given my workload.

I am the site chaplain at FTC, which is basically the coordinator of Chaplaincy services in the institution. I work with different faith representatives and part-time chaplains

A lot of administrative tasks were given to site chaplains. I'm full-time, they're part-time, so they don't know the policies and procedures of the institution as I do. My role as site chaplain frees up the other chaplains to be more present to the inmates.

The role of the chaplain has changed. Before, it was more religious and one-on-one with the inmates, whereas now we're working on so many things, such as Restorative Justice and personal growth activities for

the inmates; I mean, it's still rooted in the religious, it's still pastoral, but has become more humanistic.

I also process all the religious diet and religious accommodations requests, and manage the volunteer dossier.

SW: Do you also have a role relating to Open Door?

ST: Jacinthe at the minimum-security site arranges most of the ETAs (escorted temporary outings for inmates), but I coordinate the outings for Open Door because of my relationship with Communitas and with Peter.

SW: We appreciate so much the work that you and Jacinthe put into having the men come out each week to attend Open Door. It means so much to everyone. Have you ever been to Open Door?

ST: Yes, three times. What I remember that is unique is that nobody knows who's who, everyone's equal, there's no hierarchy. In the pen it's pretty obvious who's who. One time at Open Door, someone was presenting a travelogue and another time I came in honour of Margaret's husband, Hugh MacCormack. But Open Door is on a Tuesday and that falls on an evening when I have another activity.

SW: It must be pretty stressful being a chaplain sometimes. How have you managed to remain effective?

ST: I learned early on not to bring my work home with me and to keep my personal and professional lives separate. Sometimes there are crises or difficult things, and early in my career I was feeling compassion fatigue, so I had to learn to deal with that. I do what I can, and I leave the rest up to God. I'm grate-

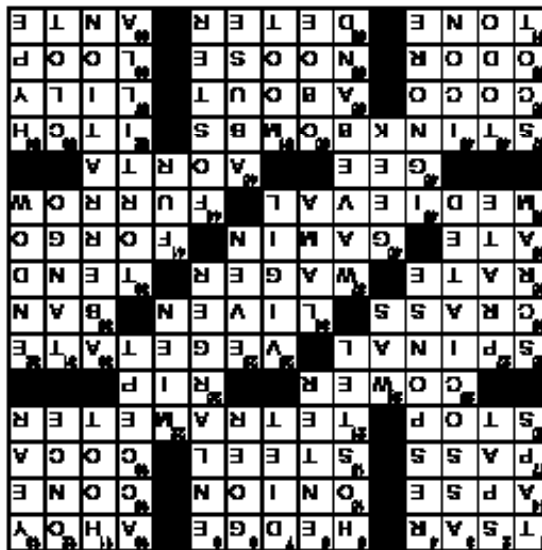
ful to be able to do that. Otherwise, I'd burn out because it can be difficult, and even disturbing, and that has an impact over time.

SW: If we back up a bit, how did you become a prison chaplain?

ST: I went back to do a Master's degree in Theology after a long break after my bachelor's degree. At the end of my Masters I went to see Brian McDonough, he was teaching a theology course at Concordia. I went to him for inspiration and guidance on what direction to take. I told him about my thesis, which was about personal development, and at the end of our conversation, he suggested that I consider being a prison chaplain. I had never thought of prison chaplaincy before, I had never thought of that segment of society. I was concerned that I would be too sensitive; I'd get too attached. His words still ring in my ears: "It's not about you." This really struck me. In that moment I realized that this was about something bigger than me. It had reached me deeply. He then gave me a book, Houses of Healing, which I read over the summer. I said, "This is exactly what I want to do." It was about a healing program for inmates, which I now give once a year for inmates as a group or individually with the help of volunteers. I started volunteering at Leclerc institution with a group from Concordia University, Building Bridges. From day one that I went into Leclerc, I felt comfortable. I was à ma place. Not nervous or afraid, it felt right.

After a couple of months, Brian called and asked me if I was interested in the position of part-time chaplain.

Sabrina Tucci, FTC Chaplain



NO PEEKING! This is the solution to the crossword which appears on the next page.

The United Nations has an office of drugs and crime called UNODC.

Their work focuses on Prison reform along with post release and social reintegration .

At the conclusion of the 13th United Nations Congress on Crime Prevention and Criminal Justice held in Qatar, the Doha Declaration was adopted. Calling for the integration of crime prevention and criminal justice into the wider agenda of the United Nations, and endorsed by the General Assembly, the Doha Declaration has at its centre the understanding that the rule of law and sustainable development are inter-related and mutually reinforcing.

The Congress promoted prison-based rehabilitation programmes and post-release services to foster prisoners' social reintegration.

Increasingly the world over, the concept of rehabilitation is winning ground over that of punishment when dealing with prisoners. Penitentiaries around the globe are striving to effect change by providing inmates with opportunities during their sentence, so that they can more easily be reintegrated into society and become, once again, active and fulfilled members of their communities.

International standards include the Nelson Mandela Rules, of which UNDOC is the guardian, which stipulate, amongst other things, that imprisonment should not be limited to the deprivation of liberty, but should be a time for the re-education of prisoners. Rehabilitation includes a number of venues, but for UNODC's Prisoner Rehabilitation initiative, resources and support have been developed in the three core areas of education, vocational training, and employment during prison years, with the goal of contributing to the prisoners' employability after release, and thus reducing chances of recidivism.

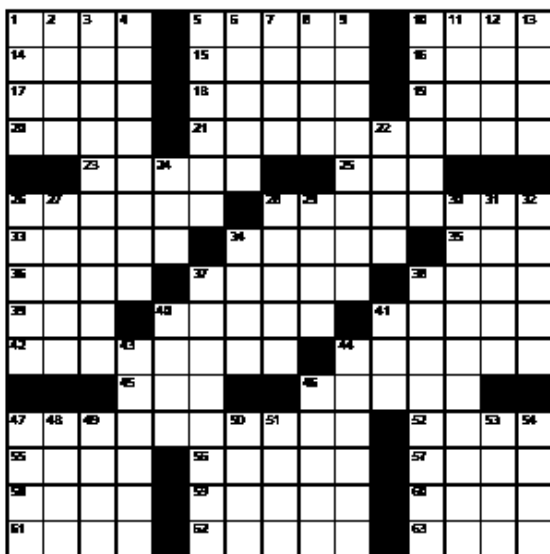
An ancillary event at the 14th Crime Congress in Kyoto was held by the Prisoner Rehabilitation Initiative to discuss the promotion of rehabilitation programmes, and the post-release services to foster prisoners' social reintegration. Joining UNODC experts were Ambassador Sultan bin Salmeen Al Mansouri, Permanent Representative of the State of Qatar to the United Nations in Vienna; Satoru Ohashi, Director-General of the Correction Bureau in the Ministry of Justice of Japan; Raphael Hamunyela, Commissioner General of the Namibian Correctional Service; Troy Jack Thevathasan, correctional rehabilitation specialist in Singapore; Reynhard Silitonga, Director General of Corrections, Ministry of Law and Human Rights in Indonesia; and Olivia Rope, Executive Director of Penal Reform International.

For more information on the 14th UN Crime Congress, visit:

www.unodc.org/unodc/en/crimecongress/about.html

Across

1. Peter I, for one
5. Border plant
10. Call to a mate
14. Altar locale
15. Gibson garnish
16. Ice cream treat
17. Quarterback's option
18. Girder material
19. Comedienne Imogene
20. "Halt!"
21. Verse of four measures
23. Show fear
25. Dead letters?
26. Kind of cord
28. Chill out
33. Unrefined
34. Energize (with "up")



- | | | | |
|------------------------------|---------------------------|--------------------------|----------------------------|
| 35. Block | 58. Unpleasant emanation | 9. Darkroom apparatus | 38. Tex-Mex staple |
| 36. Hourly charge | 59. Hangman's knot | 10. Click the OK button | 40. Nerdy one |
| 37. Stake | 60. Air show stunt | 11. Knee-slapper | 41. PETA peeve |
| 38. Look after | 61. Strengthen, with "up" | 12. Enough, for some | 43. Slight, in a way |
| 39. Chowd down | 62. Dissuade | 13. Academic period | 44. Encourage |
| 40. Neglected boy | 63. Kitty starter | 22. Personal air | 46. Bullying, e.g. |
| 41. Abstain | | 24. Is no longer | 47. Kilt wearer |
| 42. From the age of chivalry | | 26. "Beat it!" | 48. Type of list |
| 44. Plow's trail | Down | 27. Go on and on | 49. Desktop feature |
| 45. "Gosh!" | 1. Last call? | 28. Watch | 50. Double-reed instrument |
| 46. Heart line | 2. Cross words | 29. Square | 51. Kind of court |
| 47. Smelly pranks | 3. Kind of press | 30. Mental lapse | 53. Congeal |
| 52. Desire | 4. Answer | 31. Ballroom dance | 54. Hoopla |
| 55. Fashion designer Chanel | 5. Inexpensive lodging | 32. Fund | |
| 56. Circa | 6. Script direction | 34. Buddhist leader | |
| 57. Showy flower | 7. South Beach, for one | 37. Range of frequencies | |
| | 8. Suffix with theater | | |

Solution on page 10

Please support Communitas!

Communitas is a non-profit, volunteer-driven organization which welcomes (ex-)offenders back to the community by supporting them in their social, spiritual, emotional and practical needs.

We rely heavily on support from individual donors like you. The stigma associated with work in this area brings unique financial and other challenges with it and so your contributions are essential in sustaining our important work.

I support Communitas and their programs and am enclosing a donation of:

\$25 \$50 \$100 Other _____

"Tax receipts will be issued for donations of \$20 or more. Please include the following information for that purpose:"

Full name including middle initial: _____

Address: _____

E-mail: _____

Please mail to:

1444 Union Avenue

Montreal QC, H3A 2B8



Circles of Support and Accountability (COSA) at Communitas: Is it for you?

Communitas is proud to have introduced Circles of Support and Accountability (COSA) to Quebec in 2000 and have provided more than 50 circles since. COSA matches individuals with a history of sexual offending with a group of everyday community members who are committed to helping you navigate the challenges of life in the community and achieve a successful, crime-free life.

If you are interested in hearing more about the possibility of having your own circle, contact:

Brent Walker
cosa@communitasmontreal.org

www.communitasmontreal.org

 @communitas_MTL

 Facebook/CommunitasMontreal

