



Press Release

Political Discrimination Against Inmates Puts Lives in Danger

April 30, 2020 (Ottawa, ON) – Canadian courts have acknowledged that Indigenous rights are not nullified at penitentiary gates, and that the history of colonialism, disenfranchisement and assimilation must be considered in the treatment and release of Indigenous prisoners.

Violence reported in Saskatchewan Penitentiary and Port-Cartier in the province of Quebec demonstrates the failure of an uncoordinated, piecemeal approach to inmate safety during the COVID-19 pandemic. The Congress of Aboriginal Peoples (CAP) is calling on the federal government to address these issues in a coordinated effort by Corrections Services Canada and the Parole Board of Canada, using federal authority over justice issues.

With over 30 per cent of inmates being Indigenous, this is a Federal human rights issue that challenges equal treatment in Canada. Threats to the health of inmates do not only affect those in prisons; it also adds stress to their children, families and communities, who lack mechanisms for ensuring their safety or remaining in contact.

“According to the Parliamentary Assembly of the Council of Europe, if a prisoner is held for excessive periods of time, denied equal treatment, or subjected to unfair proceedings, and it is motivated by politics, that person is a political prisoner” stated CAP Vice-Chief Kim Beaudin. “And politics is absolutely motivating government to not giving Indigenous prisoners, and especially non-Status and off-reserve Indigenous prisoners equal treatment in Canada.”

The federal government has existing authority under the “Corrections and Conditional Release Act” to immediately begin hearings for the release of inmates under humanitarian and compassionate grounds.

“They’ve used Executive powers to forcibly enfranchise Indian bands, steal Indigenous lands and force people onto reserves, there’s no reason why they cannot step up to the plate and use federal powers to do right by our people and release low-risk inmates now” says CAP National Vice Chief Kim Beaudin. “It’s very clear our people who have treaty, section 35 and section 91(24) rights are political prisoners”.

CAP has been informed of multiple instances of low-risk and non-violent offenders being denied release without strong justification, citing prisoners’ risks related to addiction and lack of community support. Despite options existing for treatment-based and community release, and the lack of resources for addictions treatment in penitentiaries, alternative options were not provided.

Programs and services such as mental health and Elders have been cancelled due to COVID-19, including meetings with chaplains and mental health support.

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According to a report by the Correctional investigator office, Dr. Ivan Zinger, Canadian prisons continue to fail to address numerous human rights violations and mental health issues leading to inmates attempting suicide as a result of the COVID-19 isolation and lack of communications and supports.

CAP is calling on the federal government to support the call by NDP MP Jack Harris, Critic for Public Safety, to create a federal task force to begin the process of releasing low-risk and non-violent prisoners. CAP further calls on government to consider the Missing and Murdered Indigenous Women and Girls calls for justice 14.3, 14.4 and 14.5, ensuring that risk assessment considers the Indigenous experience of colonialism and racism.

These measures will take pressure off staff and administration within institutions, as well as frontline workers ensuring the safety of everyone involved.

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The Congress of Aboriginal Peoples is the national voice representing the interests of Métis, Status and nonStatus Indians, and Southern Inuit Indigenous People living off-reserve. Today, over 80 per cent of Indigenous people live off reserve.