

John Howard Society Resolution Regarding Solitary Confinement

Whereas the John Howard Society is committed to effective, just and humane corrections;

Whereas the serious detrimental effects on mental and physical health from solitary confinement and segregation are well documented;

Whereas the United Nations Committee Against Torture in its concluding remarks in 2012 called upon Canada to:

“(c) Limit the use of solitary confinement as a measure of last resort for as short a time as possible under strict supervision and with a possibility of judicial review; and

(d) Abolish the use of solitary confinement for persons with serious or acute mental illness;

Whereas the Correctional Investigator has consistently recommended that the Correctional Service of Canada limit its use of solitary confinement;

Whereas the 2013 recommendations from the Coroner’s Report into the tragic death of Ashley Smith specifically include that: the use of segregation and seclusion be limited to 15 consecutive days; a mandatory period of no less than 5 consecutive days outside of seclusion follow any period of segregation; no inmate be placed in segregation for more than 60 days in a calendar year; and transfers to another institution or treatment facility not constitute a “break” in the period of segregation or seclusion;

Be it therefore resolved that the John Howard Society of Canada call for restrictions on the use of solitary confinement, segregation, and seclusion in all Canadian penitentiaries, correctional facilities, jails and detention centres and specifically that:

- (a) consistent with the recommendations of the Coroner’s jury in the Ashley Smith Inquest, periods of solitary confinement be limited to a maximum of 15-day periods separated by at least 5 days not in solitary confinement and no more than a total of 60 days be spent in solitary confinement in a calendar year;
- (b) solitary confinement be prohibited for those with serious or acute mental illness; and
- (c) access to judicial review of a prisoner’s solitary confinement be provided.