

Alberta Prison Justice Society

Suite #201, 10525 Jasper Avenue
Edmonton, AB T5J 1Z4
Ph: 780-244-1910
Fax: 780-851-3646

March 17, 2020

SENT VIA EMAIL

The Honourable David Lametti
Minister of Justice Canada
House of Commons
Ottawa, ON K1A 0A6
mcu@justice.gc.ca

Anne Kelly
Commissioner
Correctional Service Canada
340 Laurier Avenue West
Ottawa ON K1A 0P9
Anne.Kelly@CSC-SCC.GC.ca

Dennis Cooley, Ph.D.
Associate Deputy Minister
Justice and Solicitor General
Government of Alberta
Dennis.Cooley@gov.ab.ca

Dear Sirs and Madam:

Re: COVID-19 and Imprisoned People

I am writing to you in my capacity as the President of the Alberta Prison Justice Society (APJS) and on behalf of the APJS. The APJS is an organization of lawyers in Alberta who work on behalf of prisoners and strive to promote the rights and interests of incarcerated people.

The COVID-19 outbreak is a serious concern, and it presents special challenges for institutions and for incarcerated people. We expect that both federal institutions and provincial jails will be implementing special protocols that may impact personal visits, professional visits, and other hearings and meetings that involve contact. We are available as a resource to communicate changes in protocol and process to lawyers, and ask that you include us in the distributions of that information as it evolves. Specifically, please inform us of any special protocols relating to visits and hearings, and what your policies are for staff members that have recently travelled or are showing symptoms of illness.

We are gravely concerned about the apparent absence of aggressive measures to limit exposure and spread within institutions in Alberta. Remand Centres are of particular concern given their revolving populations, and the loss of control incarcerated persons have over their own health and safety. We are requesting information on what has and is being done to prepare for the likelihood that institutions will see cases. We urge all with care and responsibility for incarcerated people in Alberta to ensure to take all appropriate measures including but not limited to:

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- Heightened sanitation;
- Excusing individuals serving intermittent sentences;
- Proactively considering temporary absences, in particular for individuals at heightened risk of complications from an infection;
- Facilitating access for inmates to hygiene and sanitation products regardless of inmate funds;
- Increased screening and proactive access to health care, at the standard available in the community as is mandated by the *Mandela Rules*;
- Screening and monitoring of staff who may have been exposed, or who have travelled.

We also echo the concerns raised by other human rights groups that measures taken to protect against the virus not disproportionately affect marginalized populations. We second the Ontario Human Rights Commission's call for governments to "adopt a Public Health and human rights-focused approach to addressing evidence-based risks associated with COVID-19 in government-run facilities." This includes avoiding the use of lockdowns or solitary confinement and other measures that unduly restrict prisoners' liberties.

We further call on you to ensure that incarcerated persons are not deprived of contact with the outside world, including both their families and their counsel. Please inform us of what alternative contact methods are being utilized (e.g. video link or telephone) and the best way for us to contact our clients in a reasonable amount of time so that their access to counsel rights are not infringed.

Finally, we ask that you make the steps you are taking public. Statements received thus far in Alberta about steps being taken have been inadequately vague and unresponsive. Incarcerated persons are wholly dependent on your organizations for the ability to protect their health, and their ability to respond to infections if they arise. The fact that the health of our clients, and the communities they will return to, depends on your response means that the public is entitled to understand what processes are in place.

We understand you do not control the population entering your facilities, and have been advocating through other professional channels for responses from police, the court system, and other parties, that can help reduce the risks posed to institutions via other means. We call on your organizations for information on your role in responding.

We look forward to receiving your response.

Yours truly,



Amanda Hart-Dowhun & Sarah Rankin
On Behalf of the Executive
Alberta Prison Justice Society