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THE CANADIAN PENITENTIARY
SERVICE

HV
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C33
1966

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THE CANADIAN PENITENTIARY SERVICE

HISTORICAL BACKGROUND

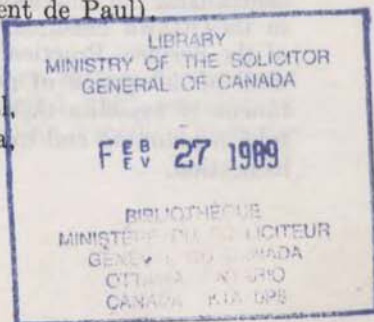
The establishment of "Penitentiary Houses" was first enacted (19 Geo. III, c. 74, 1779) as the direct result of John Howard's recommendations to the British Parliament calling for a strict regime of sanitation, inspection, separate confinement, sobriety, coarse diet, "labour of the hardest and most servile kind, in which drudgery is chiefly required", and a "coarse and uniform apparel, with certain obvious marks or badges affixed to the same, as well to humiliate the wearers as to facilitate discovery in case of escapes." Each convict was obliged to serve one-third of his sentence in each of three-classes in which the rigour of confinement and labour was progressively more moderate if his conduct and industry were satisfactory. This innovation quickly spread to America and thence in due course to Upper Canada with the construction of the Kingston Penitentiary in 1835.

Upon Confederation, three provincial penitentiaries came under the exclusive legislative authority of the Parliament of Canada. Two of these three, Halifax and Saint John, ceased to be federal penitentiaries in 1880, leaving Kingston as the only remaining component of the Canadian penitentiary system whose existence began in the pre-Confederation era. Penitentiaries were constructed from 1873 to 1930 to serve specific geographical areas or to serve the needs of newly-created provinces:

- 1873 - St. Vincent de Paul - to serve Quebec, except the Magdalen Islands,
- 1876 - Manitoba - to serve that province, plus western Ontario and eastern Northwest Territories,
- 1878 - British Columbia - for that province and later the Yukon,
- 1880 - Dorchester - for the Maritime Provinces and the Magdalen Islands,
- 1906 - Alberta - for Alberta, Saskatchewan and western Northwest Territories (closed in 1920),
- 1911 - Saskatchewan - for that province, and after 1920 also for Alberta and eastern Northwest Territories.

Prior to the coming into force of the new Penitentiary Act in 1961, the following institutions were opened to serve the needs of segregation of inmates by sex or on the basis of selection for vocational training, the construction trades or other activities under somewhat less than maximum conditions of security:

- 1930 - Prison for Women,
- 1930 - Collin's Bay Penitentiary,
- 1952 - Federal Training Centre (at St. Vincent de Paul),
- 1959 - Joyceville Institution, in Ontario,
- 1959 - William Head Institution, in B.C.,
- 1959 - Valleyfield Institution, near Montreal,
- 1960 - Springhill Institution, in Nova Scotia,
- 1960 - Leclerc Institution, near Montreal.



LEGISLATION

The Department of Justice is one of the original Ministries of the federal Government of Canada, having been established by an Act of the first Parliament in 1868. The Minister of Justice was then empowered to "have superintendence of all matters connected with the administration of justice in Canada, not within the jurisdiction of the Governments of the Provinces composing the same". That area of ministerial responsibility clearly included the penitentiaries, which had been made a subject of exclusive federal legislative authority by the British North America Act of 1867. Rules and Regulations for the Government of Penitentiaries were enacted in 1870. Gradual changes were made in the legislation governing penitentiaries since Confederation. Such changes seemed to have taken place at the same time as the changes in political administration and seldom in conjunction with developments in penology. Acts and amendments relating to the administration of penitentiaries were enacted as early as 1875 and 1876 and again in 1877, 1883, 1887, 1906, 1918, 1921, 1939, 1945, 1947 and the present Act in 1961.

The Act of 1939, as amended in 1945 and 1947, and the Act of 1961 were largely influenced by the Reports of the Archambault and Fauteux Commissions and the Correctional Planning Committee.

NEW LEGISLATION (PENITENTIARY ACT 1961):

As of the end of 1960, despite the Royal Commission and Special Committee reports, including the 1914, 1920, 1938 and 1956 reports, the legislation and the regulations respecting penitentiaries remained substantially unchanged since Confederation in their basic principles. There had, of course, been some worthwhile improvements over the years, notably in relaxation of the severity of discipline as the "silent" system eventually proved its impracticability; in a more enlightened interpretation of "hard labour"; in such other matters as the introduction of vocational training, correspondence courses and increased recreational activities for inmates; and in the establishment of central training courses for officers employed in the several penitentiaries. The veil of secrecy concerning penitentiary operations had also been somewhat lifted, and substantial encouragement had been given to the various voluntary prisoners' aid or after-care agencies which seek to bridge the gap between imprisonment and rehabilitation.

Nevertheless no adequate measures were being taken to cope with the immediate problems of overcrowding in outmoded facilities, much less to provide the vastly more extensive network of institutions that would be required to enable proper segregation of inmates and to permit a start to be made on federal-provincial integration of effort in corrections as envisioned by the Fauteux Committee. Furthermore, the Service was in a real sense "strangling" itself by centralizing an unreasonable amount of financial and other forms of control in its Ottawa headquarters and, indeed, on the very desk of the chief officer of the Service. Practically no attention was being paid to the possibility or the need of delegation of power to responsible officers in the field so as to simultaneously expedite their operations and to free the headquarters for its proper role in planning and management through policy making, general oversight and inspection.

The new Penitentiary Act, passed by Parliament in 1961 and brought into force on April 1, 1962, represents a complete revision that is intended to be consistent with an enlightened approach to the problem of penitentiary operations. The main changes in the law governing penitentiaries were these:

1. It permitted reorganization of the headquarters along functional lines and also the establishment of regional directorates.
2. It was designed to bring all employees of the Service under one authority for purposes of appointment, promotion and transfer, in the place of the divided jurisdiction as between Civil Service Commission and Commissioner of Penitentiaries that heretofore existed.
3. It authorized the Minister of Justice, with approval of the Governor in Council, to enter into an agreement with the government of any province for the confinement in federal institutions of persons who are sentenced under the criminal law to less than two years.
4. It provided that where facilities exist for the separate confinement of young offenders within a region of Canada, no person, being under 16 years and having been sentenced to penitentiary, shall within that region be confined in association with persons who are over 21 years of age or more unless the Commissioner otherwise directs in writing.
5. It changed the method whereby an inmate qualified for remission of his sentence, by dividing it into two types. *Statutory remission*, amounting to one-quarter of the sentence, is credited at the time of the sentence and is not only subject to forfeiture for disciplinary reasons, but will also constitute part of the parole period if parole is granted. *Earned remission* is designed to motivate the inmate to apply himself industriously to his training or work. He may earn up to 3 days' remission each month. Earned remission is not subject to forfeiture and does not constitute part of the parole period.
6. Forfeited statutory remission may be restored in certain cases where marked improvement in the inmate follows better adjustment and benefit from the prison program.
7. The Act confers upon the Commissioner or institutional head authority to permit an inmate to be absent from the institution, with or without escort, for medical or humanitarian reasons, or to assist in his rehabilitation. Authority to approve such absence could formerly be given only by the Governor General, acting upon the advice of a Minister of the Crown.

Pursuant to section 29 of the Act, new Penitentiary Service Regulations were approved by the Governor in Council, effective April 1, 1962, establishing a divisional organization along functional lines and enacting a modern basis for the custody and training of inmates.

ORGANIZATION

The Canadian Penitentiary Service comprises:

- (a) Headquarters of the Service, in Ottawa;
- (b) Regional directorates; and
- (c) Institutions.

SERVICE HEADQUARTERS

The Commissioner of Penitentiaries, under the direction of the Minister of Justice, has the control and management of the Service and all matters connected therewith.

The Commissioner of Penitentiaries is assisted by the Deputy Commissioner of Penitentiaries and, in the event that the Commissioner is absent, or unable to act, or the office of Commissioner is vacant, the Deputy Commissioner may exercise all the powers of the Commissioner. Other principal officers of the Service are as follows:

- (a) a Director of Inmate Training, in charge of all aspects of inmate custody and inmate correctional training, including classification and psychological services, inmate employment, academic, physical and cultural education, vocational and trades training, the chaplain services, inmate welfare, library services, recreation and inmate records;
- (b) a Director of Organization and Administration, in charge of personnel administration, the administration of the office of the Commissioner, staff establishments, officer training, career planning for officers and the organizational procedures throughout the Service;
- (c) a Director of Financial Services, in charge of financial matters;
- (d) a Director of Services and Supplies in charge of storekeeping, farms and canneries, food services, institutional service, purchasing and the construction, repair and maintenance to buildings and works, in relation to penitentiaries, that are under the control and direction of the Commissioner;
- (e) a Director of Industries, in charge of Industrial production by inmates in the institutions of the Service;
- (f) a Director of Correctional Research;
- (g) a Director of Medical Services; and
- (h) a Director of Liaison Services.

REGIONAL ORGANIZATION

The Penitentiary Service Regulation 1.05 states:

"The regional organization of the Service shall be as follows, namely,

- (a) the Atlantic Region, consisting of the Provinces of Nova Scotia, New Brunswick, Prince Edward Island and Newfoundland,
- (b) the Quebec Region, consisting of the Province of Quebec,
- (c) the Ontario Region, consisting of the Province of Ontario, except that portion of the province lying west of the eighty-fifth meridian of west longitude,

- (d) the Central Region, consisting of the Province of Manitoba, and that part of the Province of Ontario lying west of the eighty-fifth meridian of west longitude,
- (e) the Prairie Region, consisting of the Provinces of Saskatchewan and Alberta, and the Northwest Territories, and
- (f) the Pacific Region, consisting of the Province of British Columbia and the Yukon Territory."

So far, three regions only have been organized: Quebec, Ontario and the Western Region. The Western Region comprises the Provinces of British Columbia, Alberta, Saskatchewan and Manitoba. The Atlantic Provinces are organized as a sub-region under the direction of the Warden of Dorchester Penitentiary.

In each region, either in existence or in planning, are those institutions of maximum, medium and minimum security required to complete the complex of training establishments to render each penitentiary region self-contained in such facilities.

SECURITY CLASSIFICATION OF INMATES

A maximum security risk is an inmate who is likely to make active efforts to escape and, if he is at large, is likely to be dangerous to the public.

A medium security risk is an inmate who is not likely to make active efforts to escape but who will take advantage of an opportunity to escape if it is presented, but who, if at large, is not likely to be dangerous to the public.

A minimum security risk is an inmate who is not likely to take advantage of an opportunity to escape and who, if at large, is not likely to be dangerous to the public.

POPULATION

Attached as Annex 1 is a table of the annual inmate population since 1940, showing comparative increases or decreases. An analysis of this table reveals that, except for the years 1940 to 1943, 1952, 1956, 1957, 1965 and 1966 an annual increase is to be noted. Increases over these years have averaged 3.6% of the inmate population per year.

INSTITUTIONS

In April 1960, there were confined in Canadian penitentiaries some 6,300 inmates, of whom approximately 5,900 were in maximum security institutions, about 200 in medium security institutions, and the remaining 200 in minimum security institutions. Although the total number of inmates has risen to the unprecedented level of over 7,000, it has been possible, by conversion of two institutions from maximum security to medium security, by the construction of two new medium security institutions and by providing a number of additional small minimum security units, to improve the ratio of minimum and medium security to maximum security, as follows:

<i>Type of Custody</i>	<i>Number of Inmates</i>	<i>Percentage</i>
Maximum	3,985	55%
Medium	2,181	30%
Minimum	1,035	15%
Total:	7,201	100%

The Service now operates 6 maximum security, 6 medium security, and 15 minimum security institutions, a Prison for Women and a special prison for Sons of Freedom prisoners in British Columbia. A list of institutions by region, type, location and population is attached as Annex 2.

INMATE TRAINING

In a recent address to the John Howard Society of Hamilton, Mr. A.J. MacLeod, Commissioner of Penitentiaries, outlined the function of the Penitentiary Service in relation to training the inmate to live in freedom. He said: "We hope to change many of these offenders into law-abiding citizens by providing a program of training for the inmate that will make up for many of the deficiencies of his early upbringing, deficiencies that produced the distorted sense of values that led him, at last, to the penitentiary. We think that our major task is to bring home to the inmate a sense of discipline. By that I do not mean merely the discipline that is necessary in any type of institution to ensure good order and good conduct. Rather I mean that our primary function is to teach the inmate self-discipline, so that he will develop self-control, self-reliance and self-respect. These are the qualities that most prisoners lack. These are also the qualities that men must possess before we can expect them - or they can hope - to live in peace in the free community. Accordingly, our prison program is continuously being developed along lines that will assist the inmate to have self-control, self-reliance and self-respect. More and more we shape our daily program at work, education and recreation to produce this result."

The Service has made reasonable provisions for the feeding, clothing and shelter of prisoners by providing to the inmate an adequate, healthful diet of well prepared meals, and clothing that is adequate for the particular activity during which it is worn, whether at work or recreation. When present construction, planned and underway, is completed the present overcrowding of the older institutions will be alleviated and adequate accommodation will be provided for every inmate.

The role of custodial staff has been extended to encompass individual example and direct guidance and counselling. The proportion of professional personnel has been increased and includes psychiatrists, psychologists, social workers, relations officers and classification officers. Selection procedures have been revised to ensure a more adequate analysis of each individual inmate and an adequate prognosis of his training needs.

Family relationship has been encouraged by the granting of additional visit and correspondence privileges and the relaxation, where possible, of censorship measures. Progressive rates of pay for inmates have been established, leaving it to the inmate himself, through his own efforts, to qualify for the

higher rates of pay. A further incentive has been made available to the inmate in that he can shorten his sentence by as much as three days a month through application and effort in relation to the training program.

The Service vocational training program has been expanded in order to provide an opportunity for the young inmate not only to develop specific vocational skills that will enable him to be self-supporting upon his release from prison, but also to develop in him a sense of pride in personal accomplishment that will assist in his social rehabilitation. Modern shops in communications, electronics, metal-working, electricity and wood-working have been provided for the practical training of adult tradesmen.

Academic programs comprising day and night classes and correspondence courses are operating in all institutions and the arts are encouraged when security conditions permit.

Theatrical and musical groups are encouraged and facilities are provided to promote their development and growth. Members of the community are invited to participate in the activities of the inmates during the evenings by providing inmates with the benefit of their experience.

Inmates have complete religious freedom and the services of clergymen are available in all of the institutions.

Disciplinary Boards have been established in all institutions and inmates charged with having committed offenses against discipline are tried by them.

To assist the inmates in keeping contact with the outside world, all communications media are made available to them. This privilege includes access to daily or weekly newspapers, educational and recreational magazines, radio listening, television viewing and the publication of inmates' reviews.

Sports activities are encouraged on a participaton basis rather than on a competitive basis.

In summary, the Penitentiary Service is acting on the assumption that the inmate is not sent to the penitentiary for punishment but as punishment and all the efforts of the Service are directed to assist him in every way to regain a proper place in the free community.

STAFF TRAINING

Since 1948 the Service has operated a series of central staff training courses which, since 1952, have been conducted at the Correctional Staff College in Kingston, Ontario. Available facilities enabled only some 20 officers to attend at any one time and, for the most part, training was at basic level, aimed at extending the mental horizon of staff members who already had extensive practical experience in their respective institutions. In 1960, it was realized that less than half of the penitentiary staff had received such training and that something much more ambitious in the way of staff-training would have to be undertaken to cope with the normal recruiting in a rapidly expanding Service, and to provide for the training needs of French-speaking officers.

In September, 1962, a second Correctional Staff College was opened in the Quebec Region, at St. Vincent de Paul, with a capacity of 48 candidates. Training there is conducted in both French and English. In 1963, construction was commenced of a new Correctional Staff College, with a capacity of 72 candidates, at Kingston, Ontario, and is now in operation. In 1964, a new Correctional Staff College, with a capacity of 24 candidates, was opened at New Westminster, B.C., for the benefit of the western institutions.

A Director of Staff Training was appointed at the Ottawa Headquarters in 1961. Training policies and instructions have been introduced, training standards established and an extensive training program for instructors has been conducted. At present there are 120 new recruits under training for a period of three months in the three Colleges.

Specialists' courses and senior and junior administrators' courses are conducted annually in order to qualify personnel for appointment and promotion to the new institutions now completed or under construction. Specialists in the field of personnel selection and career planning have been appointed at the Ottawa Headquarters at the Directorate of Personnel, and a system of eligibility lists for promotion has been introduced to encourage staff members to progress in their profession by qualifying for promotion.

Appointments and promotions are made within the Service, whenever possible, by way of competitions open to all staff members on a national basis. Due consideration is given to the bilingual talents of individuals applying for positions where knowledge of both French and English is essential.

PLANNING FOR THE FUTURE

In view of the constant increases in the penitentiary population, as evidenced in the statistics cumulated over a period of some twenty-five years, and of the probable implementation of the proposal, discussed at the joint Federal-Provincial Conference in 1958, that the federal government assume responsibility for offenders sentenced to imprisonment for one year or more, it will be necessary to undertake a vast program of construction to accommodate a penitentiary population estimated to double that of the present population of 7,200 inmates. Functional institutions under construction or planned for construction are designed not only to satisfy the need of shelter, and to provide the services necessary to modern administrative practices, but also to provide facilities for the training of inmates in the most up-to-date manner.

A 10-year construction program was approved in principle by the government. This plan provides in each of the penitentiary regions of Canada all the diverse types of institutions required for a comprehensive program of inmate training. Each regional complex will include a reception centre, medical and psychiatric hospital facilities, a special detention unit, institutions of maximum, medium and minimum security and the required administrative components.

GOVERNMENT ORGANIZATION

By virtue of an Act respecting the organization of the Government of Canada and matters related or incidental thereto, passed by the House of Commons, on June 6, 1966 and brought into force on the 1st day of October 1966, the Canadian Penitentiary Service became part of the Department of the Solicitor General, of which the Honourable Lawrence T. Pennell is the Minister.

ANNEX I

CANADIAN PENITENTIARY SERVICE
INMATE POPULATION — 1940 to 1966

<i>YEAR</i>	<i>POPULATION</i>	<i>INCREASE</i>	<i>DECREASE</i>	<i>PERCENTAGE</i>
1940	3772			
1941	3688		84	— 2.2
1942	3232		456	— 12.3
1943	2968		264	— 8.1
1944	3078	110		+ 3.6
1945	3129	51		+ 1.6
1946	3362	233		+ 7.4
1947	3752	390		+ 11.7
1948	3851	99		+ 2.7
1949	4225	374		+ 9.7
1950	4740	515		+ 12.1
1951	4817	77		+ 1.6
1952	4686		131	— 2.8
1953	4934	248		+ 5.3
1954	5120	186		+ 3.7
1955	5507	387		+ 7.5
1956	5508	1		- -
1957	5433		75	— 1.4
1958	5770	337		+ 6.2
1959	6295	525		+ 9.1
1960	6344	49		+ .8
1961	6738	394		+ 6.2
1962	7156	418		+ 6.2
1963	7219	63		+ .8
1964	7651	432		+ 5.6
1965	7518		133	— 1.7
1966	7445		73	— 1.
		4,889	1,216	
NET INCREASE		3,673		
AVERAGE PER YEAR		136		+ 3.6

NOTE: These statistics are based on annual returns of population of the last day of each fiscal year.

*CANADIAN PENITENTIARY SERVICE
INSTITUTIONS*

INSTITUTION	TYPE OF SECURITY	PROGRAM	POPULATION
<i>Maritime Provinces</i>			
Dorchester Penitentiary	maximum	industrial	519
Springhill Institution	minimum	industrial	93
Dorchester Penitentiary Farm Annex	minimum	farm production	74
Blue Mountain Correctional Camp	minimum	wood-clearing and area development	38
<i>Quebec Region</i>			
St. Vincent de Paul Penitentiary	maximum	industrial	858
Leclerc Institution	medium	industrial	481
Federal Training Centre	medium	vocational training	292
St. Vincent de Paul Penitentiary Industrial Annex	medium	industrial	171
Cowansville Institution	medium	vocational training	194
Valleyfield Institution	minimum	industrial	92
Gatineau Correctional Camp	minimum	wood-clearing and area development	49
St. Vincent de Paul Penitentiary Farm Annex	minimum	farm production	86
<i>Ontario Region</i>			
Kingston Penitentiary	maximum	industrial	865
Prison for Women	maximum	industrial	93
	(with facilities for progressive training of medium and minimum security inmates)		

Collin's Bay Penitentiary	medium	vocational training	433
Joyceville Institution	medium	industrial	446
Beaver Creek Correctional Camp	minimum	wood-clearing and area development	50
Landry Crossing Correctional Camp	minimum	wood-clearing and area development	49
Collin's Bay Penitentiary Farm Annex	minimum	farm production	86
Joyceville Institution Farm Annex	minimum	farm production	83

Western Region

Manitoba Penitentiary	maximum	industrial	414
Manitoba Penitentiary Farm Annex	minimum	farm production	73
Saskatchewan Penitentiary	maximum	industrial	598
Saskatchewan Farm Annex	minimum	farm production	90
British Columbia Penitentiary	maximum	industrial	505
Matsqui Institution	medium	narcotic addicts (males) (females)	146 18
William Head Institution	minimum	vocational training	123
Agassiz Correctional Camp	minimum	wood-clearing and area development	49
Mountain Prison	maximum	Sons of Freedom Doukhobors	23
		others	90

Total			<u>7,181</u>
Newfoundland			20
Total on register			<u>7,201</u>

NOTE: Statistical report dated September 20, 1966.



INSTITUTIONS UNDER CONSTRUCTION

The Springhill Institution, located at Springhill, N.S., an institution of medium security with facilities for both young offenders and selected adult inmates with a capacity of 467 inmates to be engaged in industrial production.

The Quebec Region Special Correctional Unit, located at St. Vincent de Paul, P.Q. - an institution of maximum security for the detention of those inmates who have a disrupting influence on other inmates, with a capacity of 160 males to be engaged in industrial production.

The Warkworth Institution, located at Warkworth, Ont. - an institution of medium security for young offenders and selected adult inmates, with a capacity of 467 inmates to be engaged in industrial production.

The Drumheller Institution, located at Drumheller, Alta. - an institution of medium security for young offenders and selected adult inmates, with a capacity of 467 inmates to be engaged in industrial production.

A new maximum security institution, located at Ste. Anne des Plaines, P.Q. - with a capacity of 450 inmates to be engaged in industrial production.

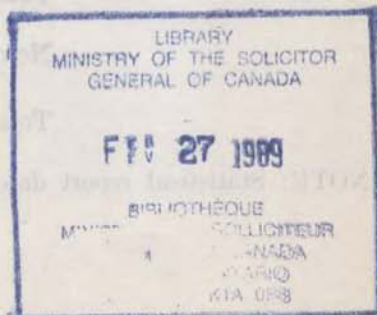
OTHER PENITENTIARY SERVICE INSTALLATIONS

The Quebec Region Correctional Staff College, located at St. Vincent de Paul, P.Q. - operated for the training of bilingual officers. Capacity of 48 candidates.

The Ontario Region Correctional Staff College, located at Kingston, Ont. - operated for the training of English-speaking officers. Capacity of 72 candidates.

The Western Region Correctional Staff College, located at New Westminster, B.C. - operated for the training of English-speaking officers of Western Canada. Capacity 24 candidates.

October, 1966



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