



C520049
February 17, 2017

Mr. Vibert Jack
Legal Advocate
Prisoners' Legal Service

E-mail: vjack@pls-bc.ca

Dear Mr. Jack:

RE: Ban of Prisoner Publications

Thank you for your correspondence, dated January 4, 2017, in which you request the Corrections Branch reconsider the decision not to allow s.22 to receive certain publications.

You advise you have confirmed with the publishers of the three publications at issue that none use metal coil binding. The publications "Out of Bounds" and "Journal of Prisoners on Prisons" may be accepted on your assurance that they are not bound with metal coil.

I have reviewed some of the past editions of "Cell Count" on line. While some of the content is about resources available to inmates and reproduced articles from other newspapers such as the Globe & Mail, there is other content that is not appropriate for inmates within a correctional centre.

At this time, the publication "Cell Count" is not permitted due to concerns that some of the content poses a risk to the management, health and safety of inmates, and may be perceived as endorsement of activity that constitutes a breach of the *Corrections Act Regulations* ("CAR"). Some illustrative examples include:

- Cell Count #73 page 5 letter titled "Old School... The Better School". This letter contains negative messaging that promotes "old school prison justice" to handle inmate-on-inmate grievances;

.../2

Protect communities, reduce reoffending

Ministry of
Public Safety and
Solicitor General

Corrections Branch
Adult Custody Division

Mailing Address:
PO Box 9278 Stn Prov Govt
Victoria BC V8W 9J7

Location Address:
7th Floor, 1001 Douglas St
Telephone: (250) 387-5098
Facsimile: (250) 952-6883

Vibert Jack
Page 2

- Cell Count #73 page 18 and Cell Count #69 page 18 "Be Kind to Your Veins" article provides instructions on injecting narcotics in a correctional centre which is a prohibited activity under CAR.
- Cell Count #69 page 17 "Tattooing" article provides instructions on how to tattoo in jail which is a prohibited activity under CAR.

As you can appreciate, the Corrections Branch does not condone these types of behaviours and prohibited activities within correctional centres.

Sincerely,



Stephanie Macpherson
Provincial Director

pc: Sydney Swift

**Provincial Programs Committee - Conference Call
March 14, 2017**

Start time: 10:30 am

Dial in Number s.15

Participant conference ID s.15

Chair: Don Tosh

Co-Chair: Elaine Webster

Members:

Kevin Bishop- NCC

Stacey Trudgian - VIRCC

Elaine Webster - SPSC

Bev Mahoney- ACCW

Nedj Macesic - FRCC

Shane McGrath - KRCC

Matt Laferdy - PGRCC

Ardith Watson- NFPC

(Steven Unger) - Ford Mtn

Jason Heath - OCC

Dr. Diane Rotheron – Medical Director

Dr. Maureen Olley– Director of Mental Health Services

Tony Porter – Contract Manager

John Cordeiro – HQ Policy and Program Analyst

Stephenie Lewis – HQ Policy and Program Analyst

Lissa Laing- Aboriginal Programs and Relationships Analyst

Lori Pruce(regrets)- Director Aboriginal Programs

Carrie McCulley– Director, Programs and Interventions

Charlene Dhaliwal– Core Programs Coordinator, BC Corrections

Next meeting: April 11th, 2017

AGENDA

NR

2. Round Table - All

NR

8. Prison Published Magazines- John
NR

**Programs Committee
Conference Call
March 14, 2017**

Attendance:

Don Tosh (Chair)		Elaine Webster (Co-Chair)	
Sandy Whitehead (FMCC)	X	Nedj Macesic (FRCC)	
Stacey Trudgian (VIRCC)	X	Mike Tuck (PGRCC)	X
Bev Mahoney (ACCW)	X	Kevin Bishop (NCC)	X
Jason Heath (OCC)		Ardith Watson (NFPC)	X
Steve Unger (FMCC)	X		
Maureen Olley	X	Charlene Dhaliwal (JIBC)	X
Tony Porter	X	Stephenie Lewis	X
Carrie McCulley	X	Lori Pruce	
Diane Rothon		John Cordeiro	X
Shane McGrath (KRCC)	X	Lissa Laing	

OLD ITEMS CARRIED FORWARD	ACTION
NR	

NEW ITEMS	ACTION
NR	
Roundtable (All) NR	

Page 06 to/à Page 07

Withheld pursuant to/removed as

NR

NR	
7. Prison Published Magazines – John <ul style="list-style-type: none"> The Branch has further reviewed the content of two publications and determined that Out of Bounds Prison Magazine and Journal of Prisoners on Prisoner Department of Criminology may be accepted provided they are not bound with metal coil; Cell Count magazine is not acceptable due to content concerns 	
NR	

Distribution:

Deputy Wardens, Programs

CDMC

Analysts, Strategic Operations

From: [Trudgian, Stacey PSSG:EX](#)
To: [Cordeiro, John P PSSG:EX](#); [Webster, Elaine PSSG:EX](#); [Mahoney, Bev PSSG:EX](#); [Whitehead, Sandy PSSG:EX](#); [Macesic, Nedeljko PSSG:EX](#); [McGrath, Shane J.M PSSG:EX](#); [Bishop, Kevin PSSG:EX](#); [Watson, Ardith PSSG:EX](#); [Heath, Jason PSSG:EX](#); [Laferdy, Mathew PSSG:EX](#); [Tuck, Michael PSSG:EX](#)
Cc: [Tosh, Don G PSSG:EX](#)
Subject: RE: Inmate Reading Material
Date: Thursday, February 2, 2017 3:05:18 PM

Hi John,

We have never had requests for, or dealings with these magazines here at VIRCC so we don't have examples for you.

Stacey Trudgian

A/Deputy Warden, Programs

Vancouver Island Regional Correctional Centre

Phone 250-953-4459

Cell s.17

From: Cordeiro, John P PSSG:EX
Sent: Wednesday, February 1, 2017 12:09 PM
To: Webster, Elaine PSSG:EX; Mahoney, Bev PSSG:EX; Whitehead, Sandy PSSG:EX; Macesic, Nedeljko PSSG:EX; McGrath, Shane J.M PSSG:EX; Bishop, Kevin PSSG:EX; Watson, Ardith PSSG:EX; Heath, Jason PSSG:EX; Laferdy, Mathew PSSG:EX; Tuck, Michael PSSG:EX; Trudgian, Stacey PSSG:EX
Cc: Tosh, Don G PSSG:EX
Subject: RE: Inmate Reading Material

Thanks Elaine. This is helpful.

It would be helpful to have specific examples coming directly from the centres.

From: Webster, Elaine PSSG:EX
Sent: Friday, January 27, 2017 9:30 AM
To: Cordeiro, John P PSSG:EX; Mahoney, Bev PSSG:EX; Whitehead, Sandy PSSG:EX; Macesic, Nedeljko PSSG:EX; McGrath, Shane J.M PSSG:EX; Bishop, Kevin PSSG:EX; Watson, Ardith PSSG:EX; Heath, Jason PSSG:EX; Laferdy, Mathew PSSG:EX; Tuck, Michael PSSG:EX; Trudgian, Stacey PSSG:EX
Cc: Tosh, Don G PSSG:EX
Subject: RE: Inmate Reading Material

John,

You can conduct an internet search of the name of the publication and find previous publications.

The below were the articles I presented to the group on our call.

Articles that are critical of the correctional system and counter to efforts at rehabilitation:

Alberta Cult System

Copyright

Page 10

Withheld pursuant to/removed as

Copyright

(Cell Count #69, page 15)

Articles that pose a risk to the management of the institution and health/safety of the inmates:

1. Be Kind to Your Veins – Instructions on how to inject (Cell Count #73)

- This is essentially a guide on how to inject narcotics in jail. It does not appear to be authored by a reputable medical source.

2. Tattooing and You: the safeguards within prisons (Cell Count #69, page 17)

- This is essentially a guide on how to tattoo in jail which is not permitted.

3. Word search fun for freaky friends (Cell Count #69, page 14)

- Content of word search is inappropriate (reference to drug paraphernalia)

Elaine

From: Cordeiro, John P PSSG:EX

Sent: Thursday, January 26, 2017 2:44 PM

To: Mahoney, Bev PSSG:EX; Whitehead, Sandy PSSG:EX; Macesic, Nedeljko PSSG:EX; McGrath, Shane J.M PSSG:EX; Bishop, Kevin PSSG:EX; Watson, Ardith PSSG:EX; Heath, Jason PSSG:EX; Laferdy, Mathew PSSG:EX; Tuck, Michael PSSG:EX; Webster, Elaine PSSG:EX; Trudgian, Stacey PSSG:EX

Cc: Tosh, Don G PSSG:EX

Subject: Inmate Reading Material

We have received a letter from Prisoners' Legal Services (PLS) regarding our August Programs Committee meeting decision that Cell Count Magazine, Out of Bounds Prison Magazine and

Journal of Prisoners on Prisoner Department of Criminology were not appropriate reading material for inmates. The editors of these publications are seeking further reasons for the ban. s.14

In the interim, does anyone have specific examples where the content of these publications justifies their ban? I have copied a few examples below.

From JOURNAL OF PRISONERS ON PRISONS DEPARTMENT OF CRIMINOLOGY;
Copyright

-“ You are not even good enough for a squaw whore to love, and that’s why she gave you away”.

From: [Mahoney, Bev PSSG:EX](#)
To: [Cordeiro, John P PSSG:EX](#)
Subject: Re: Inmate Reading Material
Date: Thursday, January 26, 2017 7:59:22 PM

Hi John

During ACCW's query on publication when requested by Don/Elaine in august we discovered we didn't really receive the publications indicated in Elaine's email so I have nothing to provide you in terms of specific examples.
Bev

Sent from my iPhone

> On Jan 26, 2017, at 2:44 PM, Cordeiro, John P PSSG:EX <John.Cordeiro@gov.bc.ca> wrote:

>

> We have received a letter from Prisoners' Legal Services (PLS) regarding our August Programs Committee meeting decision that Cell Count Magazine, Out of Bounds Prison Magazine and Journal of Prisoners on Prisoner Department of Criminology were not appropriate reading material for inmates. The editors of these publications are seeking further reasons for the ban. **s.14**

In the interim, does anyone have specific examples where the content of these publications justifies their ban? I have copied a few examples below.

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> Copyright

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> -“ You are not even good enough for a squaw whore to love, and that’s why she gave you away”.

> <s.22 - Ban of Prisoner Publications.pdf>

> <Programs Committee Minutes_09Aug16.pdf>



Prisoners' Legal Services

A Project of the West Coast Prison Justice Society

January 4, 2017

VIA EMAIL

Stephanie Macpherson
Provincial Director
Ministry of Public Safety and Solicitor General
BC Corrections Adult Custody Division

Dear Ms. Macpherson:

RE: Ban of Prisoner Publications

I write on behalf of Prisoners' Legal Services (PLS) client s.22 regarding the decision of BC Corrections to ban a number of publications. The publications in question are Out of Bounds, the Journal of Prisoners on Prison and Cell Count.

Background

For 25 years, the Journal of Prisoners on Prisons has been a prisoner written, academically oriented and peer reviewed, non-profit journal, based on the tradition of the penal press. The journal publishes essays of commentary and analysis of criminal justice issues by current and former prisoners.

Out of Bounds is a quarterly publication produced and distributed by Pithy Penal Press, the prisoners at William Head federal penitentiary. It is proof read by the Manager of Programs at William Head Institution prior to publication, and content must be approved before being printed.

Cell Count is a quarterly bulletin produced by PASAN. PASAN is a community-based AIDS Service organization that strives to provide community development, education and support to prisoners and ex-prisoners in Ontario on HIV / AIDS, Hepatitis C and other harm reduction issues. Cell Count is written and edited primarily by prisoners and ex-prisoners themselves. PASAN distributes 6,800 issues a year to prisoners, institutions, and agencies across the country. Cell Count is free for prisoners and people living with HIV/AIDS in Canada.

s.22 has been receiving these publications while incarcerated since s.22 In August 2016, s.22 contacted PLS requesting assistance on this matter. Sometime prior to that, his copies of the above publications began being returned to sender by the Surrey Pretrial Services Centre. On August 10, 2016, s.22 filed a complaint s.22 in relation to this matter. ON August 22, 2016, he was provided with a response that the publications would remain banned, but that this decision would be reviewed at the provincial committee level in September 2016. On November 18, 2016, s.22 received a letter from the Deputy Warden of Programs confirming the ban.

s.22 filed a complaint with the Investigation and Standards Office (ISO). ISO responded on November 30, 2016, finding the ban was consistent with policy. It is our view that this is incorrect, and that the decision to ban these publications was unlawful for the following reasons. Also, as ISO can only make recommendations in response to complaints, we write to you as the ultimate decision maker.

Legal Framework

It is our position that this decision is a violation of s.22 rights under s. 2 of the *Canadian Charter of Rights and Freedoms*, as recognized in the Adult Custody Policy¹ which states:

Everyone has the “freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication,” subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society, under section 2(b) of the *Canadian Charter of Rights and Freedoms* contained in the *Constitution Act*.

In *Doré v. Barreau du Québec*, [2012] 1 SCR 395, the Supreme Court of Canada discussed the duty of administrative decision makers to apply *Charter* values in making their decisions. The court provided this guidance at paras 55 and 56:

How then does an administrative decision-maker apply *Charter* values in the exercise of statutory discretion? He or she balances the *Charter* values with the statutory objectives. In effecting this balancing, the decision-maker should first consider the statutory objectives...

Then the decision-maker should ask how the *Charter* value at issue will best be protected in view of the statutory objectives. This is at the core of the proportionality exercise, and requires the decision-maker to balance the severity of the interference of the *Charter* protection with the statutory objectives.

¹ Adult Custody Policy s. 10.1.2.1

The statutory objectives must be found in the enabling statute. Section 2(1)(a) of the *Correction Act* (the Act) provides that prisoners must be given access to reading material. This privilege can be withheld if such access “may endanger the inmate or another person”.

Furthermore, under s. 19(3)(a) of the Act, inmate communications may be restricted where there are reasonable grounds to believe that the inmate is involved in illegal activities, harassing or causing harm to others, or participating in an activity that may jeopardize the safety, security or operation of the correctional centre. Communications may also be restricted if there is a court order, or if the other party does not wish to receive the communication, neither of which applies in this case.

Based on the above, the only legitimate reason to restrict access to these publications would be to ensure the safety of a person, or the safety, security or operation of correctional centres. BC Corrections cannot lawfully ban a publication unless it can demonstrate two things. First that providing access to the publication would undermine these statutory objectives, and second that the ban is a proportionate response that does not unnecessarily infringe on the *Charter* rights of prisoners. Neither of these requirements has been met in this case.

Reasons for the Ban

On November 18, 2016, s.22 : was provided with reasons for the banning of the above mentioned publications. Those reasons are as follow:

1. Metal coil binding;
2. Negative content and anti-corrections messaging; and
3. Information on how to circumvent security measures.

PLS has been in contact with the editors of each of the banned publications. They have informed us that none of them use metal coil bindings. It is possible that past issues may have been bound in this manner, but it should not be a concern moving forward.

Negative content and anti-corrections messaging are not appropriate justifications to restrict access to reading materials. The Adult Custody Policy provides that wardens are to ensure that “reading and viewing material made available to inmates does not contain subject matter considered likely to encourage harmful or criminal behaviour”.² Specific criteria to be excluded are also listed as follows:

- Explicitly depicted or described sexual acts; and viewing or reading material entirely or primarily concerned with sex;
- Bestiality;

² Adult Custody Policy s. 10.1.3.2

- Necrophilia;
- Sexual acts coupled with violence (e.g. rape, stabbing, burning, beating, gagging, binding, torture, dismemberment, mutilation or death);
- Sexual acts coupled with excretory functions;
- Sexual acts involving children (e.g. pederasty, pedophilia and incest);
- Non-sexual themes of explicitly depicted violence, and content of reading or viewing material entirely or primarily concerned with violence;
- Information pertaining to the construction of weapons and methods of escape that threaten security of the correctional centre; and
- Reading or viewing material that concentrates on nudity.³

Unless the “negative content” falls within one of the above categories, or some analogous category, it is not sufficient to justify an infringement of s.22 freedom of expression. Similarly, pointing to content that is “anti-corrections” does not provide a justification for censorship. It is unreasonable to prevent prisoners from criticizing corrections, and to do so is clearly a direct attack on their expression. It is not directed at the safety of any individual, nor the safety, security or operation of the correctional centre. This justification is arbitrary and constitutes an abuse of authority.

PLS acknowledges that withholding information on how to circumvent security measures from prisoners is a valid concern. However, the editors have reported that this type of information is not permitted in their publications. We note that despite numerous requests on the part of s.22 and ourselves for a justification of this ban, BC Corrections has not provided any specific example of problematic content in any of these publications. PLS is confident that this type of information is not present in any of the publications. However, if BC Corrections is able to demonstrate that this type of material is contained in any of the publications, we are sure that the editors will happily take whatever steps are necessary to correct that problem.

Based on the reasons for the ban that have been provided, it is our understanding that BC Corrections is claiming that the publications may jeopardize the safety, security or operation of the correctional centre. PLS does not believe this to be the case, and BC Corrections has not provided any evidence to show otherwise.

Balancing of *Charter* Values

Even if the previously discussed statutory objectives are at issue, they must still be balanced against the *Charter* rights of s.22. This infringement of his freedom of expression is of great importance to s.22. He feels that having his writing published in these publications is the only way for him to positively voice his opinions and to share his common experiences with other prisoners. They are also the only options for prisoners to be published and to find

³ Adult Custody Policy s. 10.1.4.1

news and stories that directly affect them. They are an important source of information related to community services to help prisoners prepare for reintegration.

Based on our communications to date, there is little evidence that BC Corrections has engaged in any such balancing. It does not appear that any effort has been made to find a reasonable solution to this matter short of a full ban. We are aware that Professor Justin Piche, of the Journal of Prisoners on Prisons, has already contacted BC Corrections about this matter, and has asked for the opportunity to resolve the matter informally. I have attached a copy of his letter for reference. PLS can confirm that the other two publications are also open to working with BC Corrections to find a solution. If such a solution is possible, BC Corrections has a duty to make every effort to find it before resorting to a complete ban.

A full ban also cannot be justified without providing transparent and intelligible reasoning for that decision. To this point s.22 and the editors of the publications have not been provided sufficient information to rebut the allegations put forward by BC Corrections. This renders the decision unreasonable in and of itself. BC Corrections must demonstrate that it has fully considered the impact on s.22 Charter rights, and taken action to mitigate that impact. It seems evident that this has not been the case.

Conclusion

In summary, BC Corrections has not provided adequate justification for its decision in this matter. The banning of the three publications in question represents an unjustified infringement of the *Charter* rights of s.22 and other prisoners in the custody of BC Corrections. We ask that the ban be reversed immediately. Otherwise we ask that justification for the ban be provided, with specific reference to the offending portions of the publications. We are hopeful that an informal resolution can still be reached, however we are prepared to take legal action to find a remedy if needed.

Yours truly,

PRISONERS' LEGAL SERVICES



Vibert Jack
Legal Advocate

cc: client
Sydney Swift, Director, Investigation & Standards Office



November 18, 2016

s.22

c/o Surrey Pretrial Services Centre
14323 57 Avenue
Surrey BC V3X 1B1
Living Unit Quebec

Dear s.22

Re: Publications Cell Count, OUT OF BOUNDS PRISON MAGAZINE and JOURNAL OF PRISONERS ON PRISONS DEPARTMENT OF CRIMINOLOGY

After a review of the publications- Cell Count, OUT OF BOUNDS PRISON MAGAZINE and JOURNAL OF PRISONERS ON PRISONS DEPARTMENT OF CRIMINOLOGY the DW programs committee has decided they will not be allowed for the following reasons;

- Metal coil binding
- Negative content and anti-corrections messaging
- Information on how to circumvent security measures

Thank you,

E. Webster
Deputy Warden Programs
Surrey Pre-trial Services Centre

cc: Warden
Client log

Protect communities, reduce reoffending



November 30, 2016

59320-20/09-062
14367

s.22

c/o Surrey Pretrial Services Centre
14323 - 57th Avenue
Surrey BC V3X 1B1

Dear s.22

This letter is a follow-up to the correspondence I sent to you on July 26, 2016 and on September 6 regarding publications that had been disallowed at Surrey Pretrial Services Centre (SPSC).

As stated, I forwarded the letters received from you, and information from my review of your initial complaint, to the Corrections Branch Adult Custody Programs Committee for their review. Please be advised Investigation and Standards Office (ISO) does not have authority under the Correction Act to direct the activities of the correctional centres. My review has therefore been limited to the incident itself and whether the custody centre acted in accordance with adult custody policy.

I have been advised the review of the three publications was completed in August and review of your submissions reviewed after August was undertaken in November by the deputy chairperson of the committee. The Corrections Branch Adult Custody Programs Committee includes a warden, deputy wardens from all provincial custody centres, policy analysts, the medical director and the mental health director for the Corrections Branch. I am advised that Cell Count Magazine, Out of Bounds Prison Magazine and Journal of Prisoners on Prisons will no longer be allowed to be received by any inmates in provincial custody centres in B.C. The programs committee has provided the following reasons for the decision:

- Metal coil binding
- Negative content and anti-corrections messaging
- Information on how to circumvent security measures

I am also advised that your subsequent submissions did not mitigate the decision made in August.

The reasons provided by the Programs Committee appear consistent with adult custody policy. Adult custody policy states: "inmates are restricted in their freedom of access to reading and viewing material by virtue of being in custody. The warden is required to ensure reading and viewing material made available to inmates does not contain subject matter considered likely to encourage harmful or criminal behaviour."

Ministry of Justice
and
Attorney General

Investigation
&
Standards Office

Mailing Address:
PO Box 9279 Stn Prov Govt
Victoria BC V8W 9J7

Phone: 250 387-5948
Fax: 250 356-9875

SPSC policy requires approval on all reading material requests and, as noted above, it is apparent from your records that you have had access to these publications while in custody at SPSC.

In reviewing your complaint, I confirmed the mail logs from your corrections client log indicate that on June 7 the "Journal of Prisoners on Prisons" was returned to the sender. The reason given was that it did not come to the centre direct from the publisher. On June 16, the publication "Out of Bounds" was returned to the sender as it is not on the approved list at SPSC. A review of your client log however indicates that "Out of Bounds" magazine had been received by you five times since your admission at SPSC, and also at NFPC. The "Journal of Prisoners on Prisons" has been received on one previous occasion at SPSC. There is no indication you had received a publication called "Cell Count" at SPSC.

You did not provide a copy of the special request form you cited in your July 5 letter, on which you indicate you were given approval for these magazines by a correctional supervisor. The assistant deputy warden advised the custody centre does not have a record of the special request form. In consultation with the deputy warden of programs, I was advised that in her review of the publications she was concerned that a correctional supervisor would give approval for publications with content that "was full of submissions that are anti- Corrections, counter to the custody centres efforts to reduce recidivism and inflammatory." Under the circumstances, the custody centre was acting in accordance with adult custody policy given the content reviewed by the deputy warden in restricting the publications.

The records clearly indicate your access to two of the publications noted above was previously permitted. The records also indicate access was curtailed by staff at SPSC in June 2016 without reasonable notice to you that would have enabled you to cancel your subscriptions to the two publications.

In light of the recent decisions made by the Corrections Branch Program Committee concerning these publications, your access will not be reinstated while you are in provincial custody. In consideration of the abrupt change in permission of the two publications you were originally receiving, as a means of resolution, I am suggesting the custody centre negotiate with you for reimbursement for the unused portion of your subscriptions.

Sincerely,



J. Parkin
Inspector
Investigation and Standards Office

c: Mr. B. Merchant, Assistant Deputy Minister, Corrections Branch
Ms. S. Macpherson, Provincial Director, Adult Custody Division
Mr. M. Lang, Warden, Surrey Pretrial Services Centre
Ms. C. Morris, Early Resolution Officer, Office of the Ombudsperson

Journal of Prisoners on Prisons

Journal of Prisoners on Prisons
c / o Justin Piché, PhD
Associate Professor
Department of Criminology
University of Ottawa
Ottawa, ON K1N 6N5
Canada

email: jpp@uottawa.ca
website: www.jpp.org

December 12, 2015

RE: Ban of Prisoner Written Materials by BC Corrections

Dear BC Corrections' Deputy Wardens of Programs:

My name is Justin Piché and I am an Associate Professor in the Department of Criminology at the University of Ottawa. I am writing to you in my capacity as Co-managing editor of the *Journal of Prisoners on Prisons* (JPP). Enclosed please find the latest issue of the journal – Volume 25(2) – that focuses on the matter of prison education as a tool for positive personal and social transformation. The JPP is an academic journal published by the University of Ottawa Press that features articles written by current and former prisoners that are peer-reviewed by members of our editorial board, which is comprised of prison experts, including university professors. Since our founding in 1988, we have published over 40 issues, which have been distributed to our subscribers, contributors, as well as prisoners in Canada, the United States and elsewhere in the world.

On 17 November 2016, we were disappointed to learn that the JPP, along with *Cell Count* and *Out of Bounds*, were banned by BC Corrections as of 9 August 2016. We were told by Prisoners' Legal Services that John Cordeiro of BC Corrections stated that the ban was instituted because:

“the publications are determined not appropriate because they have negative content and anti-corrections messaging, aggression and violence against authority figures, blatant drug use messaging, and some contain information on how to circumvent security measures. He also expressed concern regarding metal coil binding”.

In an email I sent to John Cordeiro of BC Corrections on 21 November 2016 on behalf of the JPP, I sought the following:

“...further clarification from you with respect to BC Corrections' specific reservations concerning the JPP that prevent it from being accessed by provincial prisoners under your care at this time. Please send us a detailed explanation outlining your decision as it relates to the JPP as soon as possible. This information will help us determine if there is anything we can do on our end to ensure prisoner access to our publication, which has been circulating in prisons across the world for nearly 30 years”.

In an email sent by John Cordeiro of BC Corrections on 7 December 2016, I was told the following:

“The Corrections Branch received a complaint from an inmate that Cell Count Magazine, Out of Bounds Prison Magazine and Journal of Prisoners on Prisoner Department of Criminology were determined to not be appropriate reading material. The complaint was

discussed at the monthly Deputy Wardens of Programs Committee meeting. The committee determined that these publications were not appropriate as one or more of the publications contained metal coil binding and the content of the publications contained information on how to circumvent security measures”.

In an email I sent to John Cordeiro of BC Corrections on 8 December 2016 on behalf of the *JPP*, I attempted to address the concerns noted above as follows:

“I got in touch with our printer and they have informed me that the *Journal of Prisoners on Prisons* (JPP) does not have a metal coil binding, so this concern does not apply to our publication. In fact, I have been assured by our printer that our journal issues are comprised of paper bound by glue.

With respect to the concern about the JPP being among the publications that ‘contained information on how to circumvent security measures’ we ask that you send us examples of passages that illustrate this problem as we make efforts to ensure that journal content does not advocate violence of any kind following our submission guidelines (see <http://www.jpp.org/submissions.html>)”.

Confident that our publication does not represent a risk to the security of BC Corrections prisoners and staff, we request that BC Corrections lift the ban on the *JPP* and reiterate the following that I previously communicated to John Cordeiro in my 8 December 2016 email:

“there are fundamental freedoms outlined in the Charter of Rights and Freedoms that are at stake here, notably ‘2(b) freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication’. If the situation persists and a resolution cannot be found informally, we will not allow this precedent to stand uncontested and we will take all necessary steps to ensure prisoner access to reading and educational materials, including our journal”.

We sincerely believe this issue can and should be resolved informally in a manner consistent with Canadian law. Descriptions or critiques of prison realities are not illegal. Should the ban not be lifted in the weeks ahead, we will mobilize our connections in the academic, legal, and literary communities to protect the rights and dignity of prisoners. In the interim, we encourage you to read Volume 25(2) of the *JPP* to assess for yourselves whether the ban instituted against it has merit. Should you have any questions, please do not hesitate to contact me via email (jpp@uottawa.ca) or by phone at (613) 562-5800 ext. 1812.

Thank you for your time and consideration,



Justin Piché, PhD
Co-managing Editor
Journal of Prisoners on Prisons

**Programs Committee
Conference Call
August 9, 2016**

Attendance:

Don Tosh (Chair)	X	Elaine Webster (Co-Chair)	X
Shane McGrath (KRCC)	X	Nedj Macesic (FRCC)	
Sandy Whitehead (FMCC)	X	Mike Tuck (PGRCC)	X
Marna Johns (VIRCC)	X	Kevin Bishop (NCC)	X
Bev Mahoney (ACCW)	X	Ardith Watson (NFPC)	
Jason Heath (OCC)	X	Charlene Dhaliwal (JIBC)	
Maureen Olley	X	Stephenie Lewis	
Tony Porter	X	Lori Pruce	
Carrie McCulley		John Cordeiro	X
Diane Rothern	X	Lissa Laing	X

Guests:

OLD ITEMS CARRIED FORWARD	ACTION
NR	

NEW ITEMS	ACTION
NR	
Roundtable (All) NR	

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NR

NR	
<p>3. Prison Published Magazines – Elaine</p> <ul style="list-style-type: none"> Received query from inmate to receive Cell Count Magazine, Out of Bounds Prison Magazine and Journal of Prisoners on Prisoner Department of Criminology Discussion that these publications are not appropriate due to: <ul style="list-style-type: none"> Metal coil binding Negative content and anti-corrections messaging Information on how to circumvent security measures 	<p>Elaine to distribute a list of publications not acceptable</p>
NR	

NR	

Distribution:

Deputy Wardens, Programs

CDMC

Analysts, Strategic Operations

Fisher, Samara FIN:EX

From: Whitehead, Sandy PSSG:EX
Sent: Wednesday, February 1, 2017 12:21 PM
To: Cordeiro, John P PSSG:EX
Subject: Re: Inmate Reading Material

I am sorry I do not have any. Sandy

Sent from my iPhone

On Feb 1, 2017, at 12:08 PM, Cordeiro, John P PSSG:EX <John.Cordeiro@gov.bc.ca> wrote:

Thanks Elaine. This is helpful.

It would be helpful to have specific examples coming directly from the centres.

From: Webster, Elaine PSSG:EX

Sent: Friday, January 27, 2017 9:30 AM

To: Cordeiro, John P PSSG:EX; Mahoney, Bev PSSG:EX; Whitehead, Sandy PSSG:EX; Macesic, Nedeljko PSSG:EX; McGrath, Shane J.M PSSG:EX; Bishop, Kevin PSSG:EX; Watson, Ardith PSSG:EX; Heath, Jason PSSG:EX; Laferdy, Mathew PSSG:EX; Tuck, Michael PSSG:EX; Trudgian, Stacey PSSG:EX

Cc: Tosh, Don G PSSG:EX

Subject: RE: Inmate Reading Material

John,

You can conduct an internet search of the name of the publication and find previous publications. The below were the articles I presented to the group on our call.

Articles that are critical of the correctional system and counter to efforts at rehabilitation:

Alberta Cult System

Copyright

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Copyright

(Cell Count #69, page 15)

Articles that pose a risk to the management of the institution and health/safety of the inmates:

1. Be Kind to Your Veins – Instructions on how to inject (Cell Count #73)

- This is essentially a guide on how to inject narcotics in jail. It does not appear to be authored by a reputable medical source.

2. Tattooing and You: the safeguards within prisons (Cell Count #69, page 17)

- This is essentially a guide on how to tattoo in jail which is not permitted.

3. Word search fun for freaky friends (Cell Count #69, page 14)

- Content of word search is inappropriate (reference to drug paraphernalia)

Elaine

From: Cordeiro, John P PSSG:EX

Sent: Thursday, January 26, 2017 2:44 PM

To: Mahoney, Bev PSSG:EX; Whitehead, Sandy PSSG:EX; Macesic, Nedeljko PSSG:EX; McGrath, Shane J.M PSSG:EX; Bishop, Kevin PSSG:EX; Watson, Ardith PSSG:EX; Heath, Jason PSSG:EX; Laferdy, Mathew PSSG:EX; Tuck, Michael PSSG:EX; Webster, Elaine PSSG:EX; Trudgian, Stacey PSSG:EX

Cc: Tosh, Don G PSSG:EX

Subject: Inmate Reading Material

We have received a letter from Prisoners' Legal Services (PLS) regarding our August Programs Committee meeting decision that Cell Count Magazine, Out of Bounds Prison Magazine and Journal of Prisoners on Prisoner Department of Criminology were not appropriate reading material for inmates. The editors of these publications are seeking further reasons for the ban. s.14

In the interim, does anyone have specific examples where the content of these publications justifies their ban? I have copied a few examples below.

From JOURNAL OF PRISONERS ON PRISONS DEPARTMENT OF CRIMINOLOGY;
Copyright

-“ You are not even good enough for a squaw whore to love, and that’s why she gave you away”.