

Girls' Detention Closures 'Blindsided' Union, Breach Rights: Critics

Centralizing youth in custody boosts alternative services, supporters counter.

Tom Sandborn,
25 Jan 2012,
TheTyee.ca

In a move union negotiators characterized as a "blindsiding" intrusion on contract discussions, the B.C. government has announced the closure of two youth detention centres for female prisoners in Prince George and Victoria.

The Jan. 18 announcement also drew fire from some human rights advocates, who said the closures breach human rights with dire implications for underage female prisoners, especially those from First Nations.

The detention centres serve a dual purpose, holding accused youth in pre-trial detention and incarcerating young offenders sentenced to serve time in custody after trial. With the closures, girls between 12 and 18 will now be detained at a facility in Burnaby.

"We have fewer and fewer youth incarcerated in B.C. -- a credit to our system and our services," Children and Family Development Minister Mary McNeil said in a statement. "This now allows us to enhance rehabilitation services for youth at all three centres in the province."

McNeil told the Vancouver Sun's Jonathan Fowlie that prisoner numbers were down at all three facilities, so it made sense to consolidate female inmates into the province's Burnaby facility. She said girls often feel isolated in centres with only a few prisoners in residence, and said the changes would allow the province to offer the girls more gender-specific programs and services.

The ministry statement claims that savings realized by consolidating the three underused facilities will allow the province to "enhance" services for the primarily First Nations girls held in Prince George, and expand mental health and addictions counselling and treatment services at the Victoria centre.

It also notes that B.C. currently spends \$28.5 million annually on Youth Custody Services, that B.C.'s total per capita youth crime rate has been progressively decreasing -- a 59 per cent decline between 1991 and 2010 -- and that B.C.'s youth crime rate was the third-lowest in the country in 2010, while the violent crime rate in B.C. was the lowest in the country.

"In total, we will be saving \$2.5 million in this redesign," a ministry spokeswoman told The Tyee. "About \$900,000 of that will be redeployed to enhance rehabilitation services for youth in custody -- where services are needed most -- more programs and services that are sustainable and gender-specific for girls, and enhanced addiction and mental health programs for both boys and girls.

"The remainder of the savings (\$1.2 to \$1.6 million) will enable the ministry to sustain program services in other areas that show increasing demand, such as services for children and youth with special needs."

Closures 'upset the apple cart': union

However, the union representing staff at the centres, the BCGEU, sees the closures as an ill-advised and ill-timed cost-cutting measure that eliminates six union jobs in Prince George and 17 in Victoria, while also moving incarcerated girls farther away from their families and communities.

"They have really upset the apple cart this time," the BCGEU's Dean Purdy said on Jan. 19. "They keep wanting to run social services like a business, and this decision is just wrong. It will cut girls off from their parents and communities, and further burden an already bogged down court system. The government keeps saying this is all about the kids, but this is going to be bad for everyone."

Purdy was also critical of how the government timed the announcement.

"They blindsided us with this decision at the negotiating table," he said. "If they had to make these changes, they could have consulted with us six months ago and we could have made the staff reductions through attrition."

A ministry spokeswoman responded to Purdy's criticism about the timing of the announcement, saying "the BCGEU was provided appropriate notice of the changes as outlined in the current contract."

Gov missing rights concerns: advocates

Asia Czapska is a co-ordinator with Justice for Girls, a non-profit organization that promotes social justice, equality and freedom from violence for teenage girls who live in poverty. She told The Tyee her organization is very concerned about the closures.

"The government isn't taking the human rights of girls into account," she said in an interview. "We don't think girls should be incarcerated at all, but moving everyone to Burnaby will mean limited access for prisoners to family and community supports."

Czapska said the new arrangements could result in female prisoners having to travel up to 800 kilometres shackled in a sheriff's van. She called the suggestion that the government provides travel money for family visits to prisoners in Burnaby "absurd."

However, the ministry's spokeswoman disagreed, stating: "While we understand concerns that families will now be faced with longer travel distances to visit and we are removing them from their community, the unfortunate reality is that not a lot of family members are visiting to begin with."

She went on to say: "However, we have funding set aside for financial support to families who want to visit. In addition, girls and their families will have access by telephone and video conference. It's important to recognize girls in custody aren't necessarily from Prince George or Victoria -- they are from communities all over the province."

David Eby, executive director of the BC Civil Liberties Association, is also concerned about the consolidation of youth detention facilities in Burnaby.

(Full disclosure: Tom Sandborn volunteers time as a board member of the BCCLA.)

Eby pointed out that in B.C., kids in detention centres are overwhelmingly aboriginal, and said that moving First Nations kids from across the province to detention in the Lower Mainland is painfully reminiscent of the residential schools that did so much damage to native communities in the past.

"There is a problem of cultural memory here that hasn't been fully addressed," he told the Tyee. "The goal with kids in the correctional system is to reconnect them with their communities and families, and to keep them from going on to adult prison later. That goal makes keeping incarcerated kids close to home important."

Absent a detention centre in Prince George, Eby worries that girls arrested in the north on a Friday could end up being held over the weekend in RCMP lockups in close proximity to adult male prisoners. That, he said, would be "simply not acceptable."

Centralization promotes 'alternatives to custody': youth advocate

While the ministry decision to close centres in Victoria and Prince George has drawn sharp criticism from the union involved and from some human rights advocates, Shawn Bayes, director of the Elizabeth Fry Society, takes a different view. Bayes endorsed the changes as ones that will lead to fewer girls being incarcerated, according to a quote in the ministry statement.

"While centralized female youth custody will be farther away for many, we believe it will also promote the use of alternatives to custody and decrease the number of girls sent to custody, which we welcome. We are encouraged to see the ministry taking steps in recognizing the needs of girls are different, and committing to the creation of gender-sensitive programs for girls in custody."

In a phone conversation, Bayes explained the position taken by her organization, which she said was adopted after difficult reflection. A 2008 study by her group found evidence that prison was used for young offenders less in the north of the province, because of how far from detention centres most parts of the region were. The study also found the proportion of aboriginal girls to all girls in custody in Prince George was between three and four to one, while across the province aboriginal girls in custody were over-represented by a factor of between six and 10 to one.

Bayes predicts that centralizing female youth detention in Burnaby will encourage even less incarceration of girls, which she, like Justice for Girls coordinator Czapska, sees as a desirable outcome.

"I recognize it will be difficult to be away from family, but I think this decision will mean fewer girls will be incarcerated," she said. "Prison is our harshest social sanction. I don't like to see that happen to kids."