

# **Prisoner Committees in Women's Prisons**

**An Report on Women's Prisoner Committees in California  
Canada and South Africa**

**Amanda George**

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**Front cover:**

Edmonton Institution for Women, Alberta, Canada

**Back cover clockwise from top left:**

Female Correctional Centre, Worcester , South Africa

Johannesburg Female Correctional Centre, Mondeor, South Africa

Surveillance camera, Nova Institution, Nova Scotia, Canada

Okimaw Ochi Healing Lodge, Saskatchewan, Canada

Front gate and Christmas lights, Edmonton Institution for Women, Alberta, Canada

L to R, Lori Ehler (E.Fry), Adele MacInnis-Meagher (Deputy Warden), Gisele Smith (Warden), Kim Pate (CAEFS) , Nova Institution, Canada

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## **Preamble**

This report is dedicated to the women in prison who agreed to meet with a total stranger from another country to share their thoughts, experiences and ideas. Without their generosity and trust this project would not have been possible.

I would like to thank the wardens and managers of the various women's prisons who consented to me meeting privately with women in their prisons and who also agreed to share their experiences and thoughts with me. I also thank the various prison workers who met with me.

I must also acknowledge the various women in Australian prisons who over the years, have worked with me. The privilege of this work equipped me with information, skills and ideas that lead to me being awarded a Churchill Fellowship in the area of women in prison.

## **Churchill Fellowship Program**

### **Prison Visits**

December 2004 – January 2005.

#### **California:**

Valley State Prison for Women, Chowchilla

#### **Canada:**

Fraser Valley Institution for Women, British Columbia

Edmonton Institution for Women, Alberta

Okimaw Ohci Healing Lodge, Saskatchewan

Grand Valley Institution for Women, Ontario

Joliette Institution, Quebec

Nova Institution, Nova Scotia

#### **South Africa:**

Johannesburg Female Correctional Centre, Mondeor

Pretoria Female Correctional Centre, Pretoria

Worcester Female Correctional Centre, Worcester

In these women's prisons I met with Women Prisoner Committees (which went by a variety of different titles) as well as other committees comprising women prisoners: Native Sisterhood, Lifers and Longer-Termers Committees, BIFA (Black Inmates Fellowship Association), Asian Group and Recreation Committees.

I also met with individual women on these committees, women who were part of the general prison population and women who were confined to maximum-security units within those prisons. These latter women are not permitted to mix with the general women's prison population.

In these prisons I also met with prison management, custodial and support staff, medical staff and prison chaplains.

### **In the outside world**

In the government sector, I met with people from the Canadian Correctional Services Commission, Office of the Correctional Investigator Canada and South African Judicial Inspectorate of Prisons.

In the non-government sector, I was assisted by Justice Now in California, the Canadian Association of Elizabeth Fry Societies in Canada, including their regional advocates in the provinces (who also provided translation services for me in Quebec) and in South Africa the Penal Reform Project of Lawyers for Human Rights.

In each country I visited, I was also able to speak with women and men who had previously been in prison and who provided valuable perspectives on their experiences as members and chairs of prisoner committees, as outsiders to these committees and on prison life in general.

I also thank Tony Bacci, Audrey Hatto, Lori Ehler, Claire McNab, Ruth Gagnon, Barb Wilson, Denise, Mollie Booth, Kim, Alma Swan, Carla Di Censo, Anne Kelly, Kelly Blanchette, Judge Fagan and Liselle Albertse.

Aside from the people and organizations above I have benefited from insights and discussions with Cassandra Shayler, Cynthia Chandler, Angela Davis and Gina Dent in California, Kim Pate and Gayle Horii in Canada, Louis van der Merwe in South Africa and Debbie Kilroy and Kat Armstrong in Australia. Debbie Kirkwood's good sense and editing have been invaluable. Thanks to Jo Chester, Matt Jacobi, Robyne Latham and Thomas Lindberg for IT and as always thank you to Malcolm Feiner from Corrections Victoria.

### **Fellowship Follow Up**

Since completing my Churchill travels and prior to finishing this Report, I have spoken at various conferences and to many organizations about my Fellowship and its findings. I have decided to write a rather detailed Report as I have had many requests for it from prison departments and NGOs in Australia. The South African Department of Corrections have also requested my Report and in particular are interested in recommendations given that the committees have fallen away in that country.

## **Executive Summary**

This Churchill Fellowship Report documents the views of women prisoners and prison staff about the benefits and constraints of mandated inmate committees from ten women's prisons I visited in California, Canada and South Africa.

Prisoner or inmate committees are bodies of prisoners elected by prisoners to provide a collective voice on systemic issues that arise in the running of a prison. The committee's views are also sought on prison policy by government and NGOs.

In Australia these committees exist in some prisons, but they are not mandated and as a consequence stop and start at the whim of prison managers. It is recommended that they be mandated and become an accountability measure of prison performance.

Women prisoners and management had these views of committees.

### **Women prisoners said:**

- It gives them a formal and regular voice with management
- It gives women protection from retaliation when making complaints through the committee
- It allows women to sort out disputes between themselves without involving management and risking women being charged with offences
- Women receive more information about changes in the prison
- It documents prison problems which is useful for external accountability

### **Prison management said:**

- They couldn't manage the prison without the committee
- They heard about problems in the prison in a timely fashion
- They received complaints through one source instead of many
- The committee gave them suggestions for change
- The committee kept a lid on things
- Committees were a surer route for information to the women than were staff

### **Some constraints identified were:**

- Women do the work of staff and as a consequence staff did less
- Unless outside bodies monitored them, committees can be disbanded
- Lack of resources and training reduces the committee's effectiveness
- The level of work done by committees quickly burnt out its members

**A list of key recommendations is at the end of the Report.**

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# **A Report Investigating the Benefits and Constraints of Prisoner Committees in Women's Prisons in Canada, California and South Africa**

## **1. Introduction**

This Churchill Report documents information and views obtained about the operation of inmate committees after visiting ten women's prisons in three jurisdictions which mandated their existence. Prisoner or inmate committees are bodies of prisoners elected by fellow prisoners who represent a prisoner perspective on systemic issues that arise in the running of a prison. During my visits I spoke extensively with women prisoners, prison management and prison staff. The Churchill Fellowship was undertaken so as to provide information to interested organisations and individuals in Australia about whether mandated prisoner committees should be adopted here and if so, to provide some guidance on their operation.

Throughout the Report I quote from various women in prison, prison management and staff. Women prisoners and staff held a wide variety of views and opinions although there were some areas where points of view were fairly consistent. I also met with and include comment from former prisoners, NGOs and government employees. In addition to reporting a variety of views and general comments I also provide an analysis of them and discuss things that I observed.

In the first part of the Report I look at the history of inmate committees and why I undertook this investigation. I then look at the legislative framework of committees and how the committees function. The third part of the Report looks at what the committees do in the prison and I also look at the committee's involvement in advocacy and prison accountability with external bodies. This part also looks at issues of co-option of the committees into prison management. In the final part I discuss how committees can be undermined and also what is essential for their effective operation. I also make a number of key recommendations.



## 1.1 History of Prisoner Committees

*The subject of participatory management in prison has been a very emotional issue in penology. Suggestions that the administrator share decision making with staff and all inmates is rejected without consideration. This reaction is understandable because democratising a totalitarian regime would in effect, destroy it. This realisation is sufficient to evoke pure terror in the hearts of those who have a vested interest in maintenance of the present prison order.<sup>1</sup>*

In the relatively short history of prisons, the involvement of prisoners in various forms of decision-making in them has waxed and waned. The first documented implementation of prisoner participation in prison management in English speaking prisons was at the Norfolk Island penal colony in 1840 on the east coast of Australia.<sup>2</sup> Norfolk Island was infamous for its brutality, however Captain Maconachie, who was for a short time superintendent and a reformer, instigated a model of prisoner participation. This included implementing a radical proposal for a one-day unsupervised prison release program for all prisoners, in which all of them returned as required.

Since then, various models of prisoner participation in management have evolved. Many of these have been in response to unrest and often riots in prisons. Formalised inmate committees were recommended by the Nagle Royal Commission<sup>3</sup> in response to riots at Bathurst Prison in NSW and in the UK, as a recommendation of the Woolf Committee<sup>4</sup> in response to riots at Strangeways Prison in Manchester. The Royal Commission into Aboriginal Deaths in Custody in Australia, also recommended the establishment of designated aboriginal inmate committees capable of ‘representing the interests and viewpoints of aboriginal prisoners’.<sup>5</sup>

## 1.2 My Interest in Prisoner Committees

The word inmate and prisoner are used interchangeably throughout this Report. Prisoners themselves are divided on which word, other than humans, should be used to describe them, however many feel that inmate is more a term for persons who suffer from a mental illness and who are held for treatment in psychiatric institutions. I

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<sup>1</sup> T Murton, *Shared Decision- Making As A Treatment Technique in Prison Management* Murton Foundation for Criminal Justice, Inc. Minnesota 1975 p.xi.

<sup>2</sup> Ibid p.32.

<sup>3</sup> NSW Inspector-General of Prisons *Review of the Establishment and Operation of Inmate Development Committees and Aboriginal Inmate Committees* April 2001 p.4 Sydney.

<sup>4</sup> E Solomon and K Edgar, *Having Their Say : The work of prisoner councils* Prison Reform Trust London 2004 p.3.

<sup>5</sup> *Royal Commission into Aboriginal Death in Custody, Final Report - Volume 4* AGPS, Canberra 1991 Recommendation 183.

prefer to use the word prisoner because to me that describes the life one has, in a prison. The move to call prisons various types of 'centres' is obfuscation so as to hide what goes on behind the walls.

Prisoner committees exist in some Australian prisons, however they are not mandated as bodies of elected prisoners. Their existence tends to depend on the will of the head of the prison. A NSW Ombudsman's Annual Report noted that in some prisons the inmate and aboriginal committees were regarded as 'somewhat burdensome'<sup>6</sup> and the NSW Inspector-General of Corrective Services noted that the Corrections Department was 'failing to follow its own procedures in relation to inmate committees'.<sup>7</sup> My belief that committees work best if they are mandated and externally monitored as part of a prisons' accountability assessment<sup>8</sup>, was confirmed when on return from my Churchill I met a woman who had been in NSW prisons where there was no committee, although there ought to have been one. She went to great lengths to set one up and as a consequence suffered a great deal of retaliation from staff and senior management and her movement to lower classification through the prison system was stymied.

The institution of prison is designed to remove the autonomy of the individuals it incarcerates. Every minute of every day you are reminded you are a prisoner. This is why prisoners must wear uniforms, why the prison's militaristic model has prisoners getting out of bed at the same, eating at designated times and standing for 'musters' many times a day. Rules prescribe almost every minute of a prisoner's life and individual decision making opportunities are extremely limited. In order to take back some control in decision making, a prisoner may decide they will get up prior to a morning muster call, they may decide that they do not want any visitors thereby avoiding many strip searches, or they may prefer an unadorned cell so that nothing further can be taken away from them.

This rigid timetabling of prison life has the effect of creating high levels of certainty and enforces dependency. This can mean that sudden variations from this rigid timetabling or any arbitrary changes imposed on prisoners, can create another level of disempowerment and distress. Prisoners that I have worked with, speak about existing in a world of relentless structured monotony where little changes, but at the same time living on a knife edge where everything can be turned upside down in a second.

If the role of inmate committees was no more than to mandate and formalise an information flow to prisoners, then this of itself would have a significant impact on the lives of people in prison. Having no control and little information is a precarious life, however with access to some information on how your life is and will be managed, comes back a small piece of autonomy and a different certainty.

My work in Australia with women in prison advocating around issues inside prison and on prison policy, is invariably informed by contact with individual women prisoners. I have often thought that this must weigh heavily on the women I work with in terms of their

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<sup>6</sup> NSW Ombudsman's Office *Annual Report 2002/3* p.30.

<sup>7</sup> NSW Inspector-General of Corrective Services *Annual Report 2001/2* p.59.

<sup>8</sup> That the inmate committees existence and functioning be monitored by external bodies was also a recommendation of the NSW Inspector-General of Prisons referred to in FN 3.

visibility and also may be unrepresentative of issues of concern to all women. So the idea of a committee to speak with, as well as individual's, seemed to hold great potential and many advantages. I have also been struck by the enormous amount of prison policy that is perpetually under review and invariably women on the inside are the last to hear of it. Rarely are they consulted and if they are, it tends to be like my own, with individual women. This waste of a huge pool of women's expertise and insight into their own situation and on life in prison, which is what much prison policy is focused upon, seemed absurd to me. So I was particularly interested in how committees were utilised as a resource in this policy context.

### **1.3 Some Questions Before Me**

Aside from looking at the nuts and bolts of how prisoner committees operated a few central questions informed my fellowship:

Can a committee that is a formalized part of the prison system legitimately be a voice for prisoners?

Does a committee do the work of staff and become a tool of social control for prison management?

Does a committee defuse prisoner complaints in a way that benefits the prison more than prisoners?

Are committees used to collect women's views and facilitate a collective voice when external policy changes are up for review?

How can those of us on the outside work with these committees to effect change inside prison as well as work for alternatives to prison on the outside?

### **1.4 Who Benefits from Committees?**

*Committees can have no disadvantage to anyone.* South African committee ex-prisoner

This Report focuses on the views of women in prison who are on prisoner committees or who have had experience of them. The views of prison management are also separately documented. There is a great deal of detail within the Report on the specific procedures, roles and responsibilities of committees and a detailed discussion of what they actually do, day to day. Before delving further though I have decided to sketch a brief outline of women's and management views as to who it is that benefits from inmate committees. I also give my views from what I observed.

### 1.5.1 Women's Views

In all the prisons I visited, I asked women on committees and women who weren't, what they would say to women in Australian prisons about the benefit of an inmate committee. Everyone had the same answer, 'If you don't have a committee where is your voice?' One former committee chair spoke of the significance of committees in this way, 'I see a very strong connection between women's participation in the community here and on the outside. We can't just sit around and complain and not participate. It's the same inside as outside. We give the committee our input. It's important we have input into outside policy. The (guards) union is very, very powerful, we also need a voice.'

The structure provided by committees of a formal and documented communication and complaints process, which went directly up to management and did not rely on staff to communicate these issues, was identified as vital especially in stopping smaller things festering and taking on a life of their own. The relative protection from retaliation for prisoners making complaints through the committee, was also seen as important. It also meant that a written record of problems was kept as well as management's response to these, which meant that issues did not get lost in people's memories.

The events and social programs that committees organised were a secondary feature of the importance of the committees to everyone I spoke with. Women on committees identified skills that they had learnt from the committee and also a sense of empowerment that came from meeting with management and more particularly in meeting with outside groups. Meeting with people from the inside and outside who were in positions of influence made women feel like their point of view had some value. Women were clear that having the opportunity to meet with outside groups, widened the horizon of life in prison and gave them the opportunity to interact with people from the free world. Another consequence of this contact was the flow on effect of these outside individuals educating others in the community about issues around women in prison and prison life in general.

Women felt this opportunity for education of 'outsiders' was sorely needed. They recognized in it a potential to create bridges between the inside and the outside. They said that in directly meeting with outside organizations, individuals in these groups lost their fear of prisoners and those people in turn educated the community which led to a breaking down of the myths about women and prison. Women also identified the different feelings they experienced in meeting with outside groups in that they recognised a greater feeling of equality with those groups compared to meetings with prison management. This is perhaps hardly surprising, however it made women realise that the power differential which they felt with prison management, did not have to be normalised in other scenarios.

In terms of the work that the committee did inside the prison around conflict resolution, women said they preferred the fact that it was their peers who were there to sort disputes out between them at first instance, rather than management coming in, with all the consequences that can flow from that – especially being charged or put in segregation.

Women were clear that management relied heavily on the committee but they saw a lot of benefits to them from this. 'I was working in the graphics room and a knife went missing there. I was told by security that we have to find the knife, otherwise everyone's rooms would be ripped to pieces. It was found in the rubbish bin in the graphics room. Obviously it had gotten caught up with other stuff, but we had the opportunity to thoroughly search the place ourselves without them pulling everything apart in our units.'

Women I spoke with also felt a great desire to 'rehabilitate' their reputation in the community. Women saw the committees as a vehicle for expressing their concern about and connection with the outside community and to give back. This they did through various committee initiated fundraising events. For example at Canada's Okimaw Ochi Healing Lodge which is on Nekaneet Land, women felt that by organising round-dances and potlucks which the community could come in for, gave them connection with and made them feel part of, that community, aside from the fundraising that they did to purchase hats and gloves for the community. Women at California's Valley State Prison for Women raised US\$15,000 to run a program on the outside for young women at risk.

### 1.5.2 Management Views

*'I can't imagine how you would run the prison without them. Or why you would.'* Canada Warden

One warden in Canada explained the benefits of inmate committees to management in a nutshell. 'Of course it makes things run better. The prison environment is one that the women have to live in. If women are happy and more satisfied with the institution it is easier to run. The fewer negative interactions that we have with women the better the prison is for them to live in. The committee keeps a lid on issues that are a fundamental part of our population, this makes our work much easier. The inmate committee records things to hand, it gives prisoners a voice. There is no way I could know what was going on with out them. It's much less work for us. We find out problems quickly, we can rely on what we have been told and we get ideas on how to deal with them.'

Another warden said, 'Everytime someone self-harms we talk to the chair. No-one here wants anyone here to harm themselves. We want to try and use the resources of the chair and the population to keep women safe.'

No staff or senior management that I spoke with nominated any disbenefits other than that women prisoners would go to women on the committee for information and to

problem solve rather than to staff, which meant women were doing too much staff work and staff knew less and less about what was going on in the prison.

However one Canadian warden observed that a strong commitment to the inmate committee from senior management can create friction between senior management and staff because, 'if we support inmate committees, and we do, we are supporting that inmates have human rights. That is the problem that some staff have. Prisoners have a right to an organised voice, just like everyone else.'

### 1.5.3 What I Observed

From the discussions I had and what I saw and in the light of my knowledge of women's prisons in Australia and how they operated without such committees, I came to the view that there were clear benefits to both women and management from the mandated existence of the committees. However a trend apparent was that in some prisons the committee's focus was becoming increasingly skewed to organizing social and recreation events and away from advocacy around systemic issues within the prison and to outside bodies. In some prisons there was also a shift in the written policy rationale given for committees from 'programmes' to 'recreation'.

Interestingly in South Africa, where contrary to their regulations, it turned out inmate committees were not functioning (although one had recently been re-established), the separately constituted recreation committees that were still functioning, were taking up certain 'inmate committee roles' in relation to complaints even though this was outside the recreation committees' constitutional powers.

## 2. The Framework of Committees

### 2.1 The Existence of Committees

The jurisdictions I selected in which to do my research, each had, from the distant view of Australia, a legislative framework which mandated the existence of committees and documented their rules and procedures. On the ground things were somewhat different.

Unfortunately because of state government funding cuts, the Department of Corrections in California ceased approving all research or fact-finding visits, so in California I was only able to visit the Valley State Prison for Women at Chowchilla, with the kind permission of that prison's warden. Valley State is a stand alone prison for women and with 3500 prisoners, is the largest prison for women in the world. There the committee was operating and the written procedures and committee constitution were given to me.

Canada's Correctional Services Commission (CSC) had detailed on their website, information which indicated that prisoner committees were the subject of both federal and local prison procedures. In Canada prisoners have a right to form inmate committees and this right arises from a right to peaceful assembly which is detailed in sections 73 and 74 of the Corrections and Conditional Release Act. During my visit it turned out that some years previously they had deleted the substance of the (federal) Commissioners Directive (CD) on inmate committees although the title still existed in the CD index. CSC advised me that they knew of no plans to reintroduce a CD on them. However, all individual federal women's prisons did have local procedures in place which mandated the committees. On the eve of my visit, one prison, which contrary to legislation had not had a committee running for 12 months, had one re-established. I visited each of the 6 federal women's prisons in Canada, as it is their federal system that mandates the committees.

In South Africa the Department of Corrective Services initially gave permission for me to visit their women's prisons which also had regulations that mandated inmate committees. After initial approval was given for my visit, the DCS contacted their women's prisons only to discover that in fact only one had an inmate committee operating.

These differences between policy and practice made it clear that not only is the written mandated requirement of committees important, but there must be external monitoring of the existence and functioning of committees, to ensure that they exist.

## 2.2 The Written Standing Orders/Procedures of Committees

The written rules of a prison are often called Standing Orders or Operating Procedures. The Standing Orders of the prison get their legal authority from national/state/provincial legislation which authorises prison bureaucracies to establish rules for prisons.

The Standing Orders of prisons I visited included Orders on prisoner/inmate committees. They detailed the responsibilities and rules around the establishment and running of committees and described the policy purpose under which they exist. In all of the prisons, one staff member was delegated as having some responsibility for the functioning of the committee. The formal structure of prisoner committees did not vary greatly across the jurisdictions. The structure of the committee, who can nominate, elections, how often they met, resources to be made available and what committees did were usually nominated in the Standing Orders. Many also required a separate Constitution for the committee.

The committees often comprised of members variously described as house/wing/unit representatives and two or three women who were the executive. The executive was made up of chairperson, sometimes a vice chair and secretary/treasurer, although the size of the prison impacted on the size of the committee. In some prisons as well as elected representatives women were on the committee 'representing' specific prison interest groups in the prison population.

### 2.2.1 California

In California, Inmate Advisory Committees are established by Article 38 of the Department of Corrections Operating Manual. The Constitution of the Women's Advisory Council<sup>9</sup> states that pursuant to *Section 53120.2 of the Department Operations Manual* the WAC serves a dual and equal purpose to:

*provide inmates of the institution with representation and a voice in administrative deliberations and decisions affecting the welfare and best interests of the inmates.*

*provide the Warden and his/her Administrative Staff a vehicle to communicate administrative actions and the reasons for the same with the general inmate population.*

The Valley State Prison WAC represented 3500 women and comprised an Executive Council of chairperson, vice-chairperson, secretary and sergeant-at-arm's. The Executive 'should be ethnically comprised in a ratio reasonably equal to the institution's ethnic balance'. The Executive Council of 4 women were elected by

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<sup>9</sup> Appendix One



members of the Facility Council. The Facility Council of 12 elected women comprised four representatives of each prison yard of 1020 women. Of the four women from each yard one must be: 'African-American, Caucasian, Asian and (an) Other'. Women who were in administrative segregation (punishment), high-security or who were unclassified were not represented.

Only the Executive Council met with the warden. The warden was 'urged to meet personally with (them) each month' (although the yearly timetable indicated this happened once a quarter). Agenda items had to be submitted at least two weeks in advance including a summary of all WAC's efforts at a lower level to resolve any issues. The Executive Council could also meet once a month with the WAC staff sponsor at separate meetings from with the warden. Joint meetings of the Executive Council and the Facility Council were required once a month and meetings of the Facility Council had to be held on a weekly basis to address issues regarding that yard. These meetings had 'cursory' staff supervision. The Executive and Facility Councils also had sub-committees on food services, medical/dental, mailroom, library/law library, recreation committee, property committee and a fundraising committee which met separately and had minuted meetings with specialist staff. These subcommittees reported back to the joint Executive/Facility Council.

The Constitution provided that the WAC be provided with office space and furniture, access to a typewriter and duplicating equipment, office supplies, stationery, wall space and bulletin boards in locations frequented by prisoners, copies of changes to prison rules, ministry bulletins and other non-confidential directives which concerned the prison population. The Executive Council members had access to a photocopy machine and inside telephone lines. Executive and Facility Council members were required to carry WAC Activity (identity) Cards which nominated the specific access they were allowed within the prison to yards and housing units for the purpose of conducting WAC business, with the approval of yard staff. Voting for all Council positions was by secret ballot.

### 2.2.2 Canada

In Canada the procedures<sup>10</sup> around committees were made pursuant to Paragraph 74 of the Community Custody Release Act. The committee role being to 'provide a channel of communication between the offender population and the administration of the institution...to permit offenders to co-operate and make suggestions on planning and operating problems'

Inmate Committee Standing Order 083:

*The Committee is an elected body representative of the inmate population and is expected to participate in the operation of the institution for the benefit of the whole population by:*

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<sup>10</sup> See Appendix Two

### *Responsibilities*

*keeping the Administration informed of processes and procedures that have broken down and affect the majority of the population if left uncorrected;*

*making recommendations to the Warden on those procedures and processes that come under his authority which, if changed, would improve the institutional setting for inmates and staff;*

*identifying Commissioner's Directives that cause the most concern for the population and providing recommendations for changes, with rationale, so that these may be forwarded to National Headquarters for review;*

*assisting the population during the introduction and implementation of new policies and by providing feedback information to the Warden.*

These Orders describe a broad range of tasks for the committee within the prison, assisting day-to-day management and also a policy role on a national level. However the policy auspice of the inmate committees in some (prison) Standing Orders had moved from one which is described as being a 'prison programme' so as to provide a voice for women inside into one which comes under responsibility of 'leisure activities and arts and craft'.

In Canada the committee consisted of chairperson, vice-person chairperson and secretary/treasurer, all of whom were elected through secret ballot for six months terms up to a maximum of two terms. The warden was required to meet with the committee once a month with copies of minutes going to a variety of people including the prison population and the Citizens Advisory Committee. Women nominating for election had to be approved by the warden and voting was by secret ballot. Women from maximum-security units could not be on the committee although they could nominate a representative to liaise with the inmate committee. Members of the committee did not have free access to women in segregated or 'enhanced' units. Only the chair could respond to a women's written request though staff for them to visit them in these units, some procedures nominated a 15 minute time limit on these visits.

At Joliette Institution in Quebec the committee is comprised of a President and Secretary to represent 73 women. At Nova on the west coast the population of 60 women had a committee comprising a member elected from each house/unit and the general population voted on a chairperson. At Grand Valley, for 88 women, there was a Chair, Vice-chair and Secretary/Treasurer, the elected house representatives were not on the committee although they are attended committee meetings.

At the Okimaw Ochi Healing Lodge in Saskatchewan there was a Chair, Vice President and four elected 'members at large' in a population of 30. At the Okimaw Ochi

Healing Lodge a prison largely comprised of first nations and aboriginal women, the prisoners committee was called Iskwewak and their Constitution provided that all women at the lodge were members of the Iskwewak. At the Healing Lodge the Iskwewak had an additional objective over and above the identification of common goals and resolution of resident concerns. They also had an objective to ‘gain knowledge in Aboriginal rights, culture and heritage, customs, religion, language and education’.

The racial/ethnic quota required in the Californian system was not replicated elsewhere except in the prison in Quebec which required some women on the committee to be French speakers. However in most Canadian prisons there were various support committees which were culture based and operated with the approval of the prison. These were Native Sisterhood, BIFA (black inmate fellowship association) and the Asian Group. Native Sisterhood which involved first nations and aboriginal women, existed in all Canadian prisons and Standing Orders existed in relation to them. Most Canadian prisons also had long-termers committees. Representatives of these culture based committees and long-termer committees would meet with the prisoner committees. In addition to this, in some prisons the chairs of these separate committees met along with the inmate committees in their meetings with prison management.

At the Okimaw Ochi Healing Lodge both senior staff and women who had been in the committee said that they were not sure the committees worked for first nations women and felt that the committees were a very ‘european thing’. They said that issues of trust were very important for first nations women and that they sensed that a lot of women did not trust other women to represent them.

### 2.2.3 South Africa

In South Africa the Correctional Services Department advised me that prisoner committees called Participating Management Committees (PMCs) were established in the Correctional Services Departmental Orders in 1997. Committees were established in order to ‘discuss/propose/give input/deal with collective grievances regarding detention and treatment problems with prisoners and in doing so to promote participatory management’<sup>11</sup>. Prior to the downfall of the apartheid regime, inmate committees existed in prisons for political prisoners as well as prisons for convicted criminal offenders. The role of committees amongst political prisoners had been to provide support for each other with a focus on educating prisoners many of whom had low formal educational skills. There was particular attention paid to political education. The committees were active in representing the voice of prisoners to management over collective grievances. In institutions where political and prisoners convicted of criminal offences were kept together the committees also existed however I was told that prison management stopped this as prisoners convicted of criminal offences were becoming too politicized.

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<sup>11</sup> Correctional Services Department correspondence to author April 2003.

The structure of the PMC was that the warden was the chairperson of the committee and the secretary was a prisoner chosen by management. The other members of the committee were prisoners nominated by prisoners from each section of the prison and a prison official co-opted by the chairperson. The committees had at most eight members. They 'should meet at least once a month, a Secretary must keep minutes of each meeting and these minutes must be submitted monthly to the area manager for his/her information'. There was no voting at the committee meetings.

A PMC had only recently been re-established at Worcester Female Correctional Centre, a prison of 209 women in 10 communal cells and 10 single cells housing juvenile women. Each communal cell elected a representative to form the committee. A former inmate committee member I spoke with at another South African prison indicated there had been nine women on their defunct committee for the 900 convicted women in that prison.

### **2.3 Who is Not Represented By or On the Committee?**

Generally the prisons I visited had incarcerated within them, prisoners with a variety of security ratings. Most had separated units for women undergoing disciplinary offences/maximum-security/segregation. Women in them had no movement outside the unit and minimal out-of-cell time. In California women who were in administrative segregation (punishment), high-security or whose security rating was as yet unclassified, could not vote and were not represented on committees.

In Canada although the committees were elected so as to be representative of the prison population, generally women who were in maximum-security/seg did not have an elected unit representative, although in some institutions they did. These women though, were able to vote. I was advised that these women's exclusion from the committees was a relatively recent situation. One rationale for this exclusion was that women who are in maximum-security/seg units are not permitted to physically associate with mainstream women, although in one prison if a max/seg woman's risk assessment permitted it, they could attend meetings in the mainstream of the prison with the committee. I did speak with one maximum-security representative who had been a max representative for one year although she did not get to be alone with other women on the committee unless there was a staff member present. She also was not allowed to meet with other women on the maximum-security wing that she represented because none of the women in max were allowed to mix with each other.

Most women on the committees felt that maximum-security/segregation units should be represented and have a voice on the committee. Women in maximum-security/segregation units believed that they should, even if this was only because a portion of the money that all prisoners spend in the prison shop went to funding the committee's activities. This was a version of the 'no taxation without representation' principle. These women also could not participate in activities organised by the

committees, although they contributed to paying for them, because they were not allowed out of their units. Some women in maximum-security/segregation said to me that sometimes a chair would ensure that at least food which was organised for special occasions, made its way to their unit.

In one Canadian prison the warden said that the mainstream inmate committee had suggested that women in maximum-security/seg should have their own committee. The warden's view however, was that there was already a degree of tension between women in mainstream and women in segregation because for women in segregation to have access to library education and recreation, women in mainstream were excluded during that time, and this created some resentment. Her view was that maximum-security/segregation needed to be represented on the mainstream committee even if it meant that the chairperson came into seg regularly and sought their views. She felt that women in seg and maximum-security became marginalized and that ultimately these women would go back into mainstream and that their participation in the mainstream prisoner committee would ease this transition. One woman I spoke with in max said, 'it's important to have someone outside of max inquiring what's going on with you and to meet with you privately. It gives you a sense of connection. I would say that I wanted to see the warden and it would take three to five days, whereas when I asked to see the committee chair she was here straight away. It made a big difference to me.'

## **2.4 Who Can Run for Election, Who Can Be Removed ?**

In California a notice is put up around the prison and women are also asked directly by committee women if they wanted to be involved in the committee and nominate for election. Women interested were given a questionnaire as to why they wanted to apply and what contribution they could make to the committee. The women had to submit their application to run for election to the warden for approval. A woman could be removed/suspended by the warden when, 'there is reason to believe the individual's actions present a threat to institutional security, the safety of persons or is counterproductive to the best interests and welfare of the general inmate population'. They could also be removed if they were placed in disciplinary segregation for a period of over two weeks, committed one serious internal offence or were impeached. The constitution provided that a Facility Council representative could be impeached upon a two thirds majority vote in favour of her removal by the yard she was representing or if she was on the Executive Council, by a two thirds majority vote of the combined Facility and Executive Council's.

In Canada women also had to submit an application to the warden for approval to run for election. Although some prisons nominated a period of time in which a woman had to have been free of 'internal offences' to be eligible to run, it was also framed in terms of 'not having exhibited behavior that jeopardizes the safety and security of the institution...candidates shall be assessed as suitable if she is following her correctional plan...she has the ability to interact and communicate effectively with others using

skills of diplomacy and problem solving appropriately...she has leadership ability and organizational skills’.

Some Canadian prisons disallowed women who were convicted of internal disciplinary offences in the preceding three to 12 months. This was a disqualification that women criticised because a large number of women in the prison population do get charged with internal offences. In some prisons women could be convicted of ‘minor’ internal offences and stay on the committee, but not ‘serious offences’. One Canadian warden said that they would not approve a woman running if there were any ‘security or intelligence issues’. She had never heard of any women being vetoed. I was only told of one instance in Canada where a woman had been formally vetoed, however both women and management said that because women in the prison knew the criteria for warden’s approval there was a process of self-selection by women not to run. Women also said that staff would let women know if there was no point in the woman nominating. It was said to me that women who were actively involved in advocating for women in the prison did not bother to nominate because they knew they would not get approval. Another said that the election can be a popularity contest and that if a woman knew she was not popular she wouldn’t run for chair even though she would do a good job.

In Canada when the committee’s terms were up for expiry and elections were due, women on committees said they would go around and speak with other women about what they would want changed and encouraged women who knew what they wanted, to run. One former chair said that she went to a group of women who had been very vocal in opposing how she had done things and suggested that they should run and fix what they perceived to have been her mistakes. She said it was important to try and bring women in to the committee because being on the committee was something which was a learning experience for everyone. Another woman who ran, described how she had never done anything like this before, ‘I hadn’t been in long, a friend came to me and said let’s run, so we walked around the houses together on a ticket and got in.’

In Canada removal from the committee was at the discretion of the warden if women failed to meet criteria for election. Standing Orders required that the woman be advised in writing of the reasons for removal. Some prisons nominated dismissal if ‘the member's activities or conduct are not in the best interests of the inmate population...or the safety and security of the institution’ or if they were transferred to a segregation unit for a disciplinary offence.

In South Africa, although I only met with women on a sports and recreation committee, they advised that when inmate committees were in existence women already on the committee would interview women who wanted to run for election and they made an assessment as to whether the candidate would attend meetings regularly, was responsible enough to be on the committee and whether she would have a negative impact on the committee. They would then advise management if a woman was considered suitable to serve on the committee. It was however the parole board, who decide whether a woman should be on the committee or not. One senior staff member said that if two women running were not on good terms and that an election

would create more friction in the prison, she would talk with one of them and persuade her not to run.

In only one prison I visited, in Canada, did prison management permit women prisoners to get together en masse (other than women in segregation/maximum-security) to hear what women standing for election wanted to achieve in their term.

## **2.5 Elections**

In none of my discussions did prisoners or staff raise concerns about ballots or voting processes being unreliable or interfered with.

In California, prison committee elections were set for January each year for women whose term had expired, however if a vacancy occurred in between elections an election had to be held within 2 weeks. A ballot was sent to each woman and there were strict procedures around accounting for the number of votes cast and the counting.

There was no election timetable in Canada, they seemed to occur as needed. Women in Canada complained that elections would not necessarily occur prior to a chair being released to freedom, even though this date is known well in advance. Others said that they had advised management of the day that they would be discharged, however management did not organise an election prior to them leaving which meant there was no handover. These gaps undermined the effectiveness of the committee in its representative and advocacy role because the historical memory and knowledge was not orally relayed to the new committee and notwithstanding the record contained in minutes, this information gap was a significant set back for the committee.

Various election processes were used in Canada. At one prison each house was called to a central area one at a time and then women individually went to a booth to vote. In another, so as to stop any prospect of stand-over, each unit was brought separately to the gym and women went in to the gym one by one to vote. In the past a chair and staff member had gone house-to-house and got women to vote, but this was seen to compromise women's privacy and created a potential for 'muscling' (standover).

In a number of Canadian prisons only one or two women ran for election as chair and there were many instances cited where an election was not necessary because only one woman nominated for the position. In one prison they said that around 60 to 70% of the time the chair was voted in by acclamation because there was only one nomination. This was often said to be the case. In some prisons up to 20 women nominated for a position on the committee. It was said that women were usually happy to run for the committee but very few women would nominate to be chair.

One Canadian warden said that she was always very interested in how the vote for the chair split because it let her know what was going on in the population. If there were a

couple of candidates running and the vote was close that would indicate that the inmate committee may have a more difficult time getting support from the general population.

The number of women who voted in the prison elections varied widely although no one could give exact numbers. Women said to me that in the past over 80% of women had voted although in some prisons 30-40% was considered huge. One warden said that the vote turnout was usually high when there is someone running that women don't want on the committee.

## **2.6 Term of Office**

In California the term of office was two years with an election held within two weeks if a woman resigned/left or was removed during her term. It is important to recognize that in California women are in for much longer sentences. At VSPW 450 women were lifers or long-termers (sentences over 10 years) in a population of 3,500. In Canadian to be eligible to do a sentence in a federal prison a woman's sentence must be over 2 years. Over 50% of women are doing between two and five years. In South Africa 65% of sentenced women are in longer than 2 years.

In Canada and South Africa elections were held every six months so that terms of office were only six months. The six-month term was said to be able to accommodate women inside for shorter sentences, although in all jurisdictions women were in for sentences much greater than 6-12 months. Women and staff also said that women on the committee particularly the chair, were quickly burnt out. However most chairs I spoke with had been in the position for longer than six months and generally felt that six months was far too short. Many said that by the time their term was up, they had only just got to know how the system worked and what to do. From my observations and as discussed later there is much that could be done to reduce the level of burnout and enable women to have longer terms of office which would increase the effectiveness and efficiency of the committees.

## **2.7 Committee Meetings with Management**

There were different levels of meetings that the committee had with management representatives. In California the WACs constitution nominated meeting frequency with prison management and also times for women on WAC to meet with various staff on specific issue sub-committees such as health/food services etc. The frequency of meetings of the Facility Council and their constituency were also nominated.

In Canada only the meetings that the inmate committee had with prison management were described in Standing Orders. As a general rule only the chairperson or perhaps the vice chair of the committee met with members of the management team including



the warden and deputy warden. These meetings were usually required once a month. In between the members of the committee or sometimes only the executive met with the designated committee staff member.

In South Africa one woman who was on the defunct inmate committee said that in fact they rarely got to meet with management. They saw the (prison) captain only two times in a previous year although they were supposed to meet with them once a month. A prisoner on the recreation committee that I spoke with in a prison of 900 women said that the recreation committee met every two weeks, however their meetings with the captain and the area commissioner rarely happened and were over in five minutes.

In both California and Canada it appeared that the meetings which were required in the Standing Orders/procedures, were generally adhered to and these meetings went from 45 minutes to two hours.

The minutes of the Californian and Canadian meetings were written up by the prisoner committee who later sent them through to management for checking and co-signing<sup>12</sup>. They were then distributed to the general population through a variety of means - posted on boards in units, given to houses/units/wings reps, displayed on internal circuit TV.

Aside from the formal meetings which the Orders structured in, both women and prison management spoke about the need for the manager of the prison to have an open door policy to the chair of the committee as well as the staff member appointed as committee liaison. This can literally be so that women can come to the general manager's door or have direct phone access to them. One warden said, 'Who ever is the chair or the staff member who is prisoner committee liaison needs to have direct access to the warden, they should not have a line of management either of them have to go up through.' Wardens and senior management I spoke with all said that when chairs had this direct access, this access was used responsibly by all the chairs they had worked with. One warden said, 'if a chair is coming directly to me, I know that it is a matter that has already been taken to lower levels and nothing has happened or it is a matter of high priority. In both situations I need to know what the chair has to say'.

## **2.8 Meetings with their Constituency**

The manner in which the committee itself was informed of the population's issues and the ways in which the committee communicated things to the population was usually not described in Standing Orders.

In California, the WAC women did rounds of the housing units sometimes twice a week and on the weekend. WAC women documented issues as they went around.

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<sup>12</sup> See Appendix Three

They said that they did this because if any issues were brought up with management, they had documentation that the complaints were real and not the agenda of the committee. Sometimes the rounds were announced over the prison PA. In California the constitution gave women on the committee special passes called Activity Cards which they were required to hold while performing the duties of office, which gave them 'movement' privileges. The card nominated the areas of the prison that the committee women could access over and above her usual movement – to WAC offices, individual yards, photocopy machines and internal telephones. Women said that some officers did not like the fact women could go into other women's areas and that the Activity Cards allowed them to 'force the issue'.

One Canadian committee chair lamented the fact that if she got the population together to talk about committee business, 'they would think we are inciting a riot'. Another said that she had lots of informal meetings with house representatives and individual women and she made sure these meetings and the issues raised were always documented for the same reasons given by the Californians.

In Canada, one maximum-security representative I spoke with was not able to meet with the other women in maximum-security that she represented, unless staff were present. She was also not allowed to meet with mainstream women on the committee in her unit either. For a time women representatives of maximum-security were told they could participate in committee meetings over the internal telephone. However other women who were in punishment segregation were not consulted by the prisoner committee. The only way they could speak with the committee was if they made a request through staff to meet with the committee. The chair would then sit outside the cell of the woman in segregation to speak with her. In Canada some prisons provided special 'movement passes' to committee chairs, however a number of chairs I spoke to said they refused to wear them because they said that officers knew perfectly well who was and wasn't the chair and that insisting on the passes was just game playing.

## **2.9 Resources for Committees**

### **2.9.1 Training**

The issue of the resources made available for the committees by the prison was vital to how they functioned. Whilst Standing Orders generally nominated that certain resources should be provided, the training of committee members was not mentioned. Generally one committee member trained another, however, because there wasn't always an overlap, women often learnt on the job. I was surprised that none of the wardens I spoke with seemed to have thought about training for the committees. Given that they were unanimous in acclaiming how central committees were to the running of the prison, it was curious that they did not see fit to skill the committees in this way. Senior prison management is familiar and experienced in meetings and

procedures and would be at an advantage in that respect in their meetings with prison committees.

I was told that in Canada at times the CAEFS (E Fry) worker sat in on the committee meetings with prison management, in an observer role. Women on the committee said that it made a considerable difference to how the meetings ran and whether issues were fobbed off with 'we're still looking into that' which many committee women described as a common response to issues raised by them, even if they had been going on for months.

One chair said, 'It took a while to learn that we need to give management timelines in which to get back to us. Before we did this, things went round in circles for months.' Another chair, said that she wished she had been told that it was more effective for them to come to management meetings with a swag of potential solutions to the problems they raised. Another said it took her ages to get the importance of having well organised files and systems, especially systems to follow up and review issues that have been covered in meetings with management but over time had slipped off the radar.

Training in minute taking, agendas, writing proposals, budgets, filing systems, conflict resolution and meeting strategy would give women confidence and also be an invaluable skill for women in a variety of situations on the outside. Women also suggested a few mock meetings which went through practical meeting procedures, meeting facilitation and reaching consensus would be valuable. It seemed to me that this training role could usefully be taken up by outside organizations that do this in the community. Such a relationship would no doubt be beneficial and educational both to the committee and the outside organization and provide another bridge between prison and the community.

There is also a significant untapped resource base within the women's prison population which could be utilized for committees. Women's prisons incarcerate many women who have sophisticated white collar skills - women who have worked as secretaries, managers, admin workers, IT workers and accountants. These skills put them in an ideal position to train women on the committees with these skills. There were a few instances where women who used these skills on the outside were on committees or had been on committees and had taken it upon themselves to provide this training to other women. These skills were readily apparent in reading their minutes and looking at their organizational systems.

Many women spoke of the importance that being on a committee had in teaching them the ropes about bureaucracies and that this educated them politically about how the outside worked as well. Women spoke about how they learnt to go to a meeting with say three options knowing that they would perhaps get one through and that it was only because other women taught them about meeting strategy that they worked this out. These skills they said they would use when they were dealing with government agencies and the like on the outside.

Women said that in making decisions about who to vote for on committees they would often consider complementing the skills of women in their voting selections. In South Africa women said that in choosing who to elect onto the committee they would always choose at least one woman who could write. Many of the Canadian women described how you needed a mix of practical skills on the committee but that it was essential that someone on it was literate and comfortable with written expression.

Virtually all chairs of the committees were really insistent to articulate that their job was to be neutral and not take sides. This was particularly so when there were disputes between women, which they tried to mediate without going to management. This neutrality, they saw was also important in taking things through to management. Women identified that this was a particular area where some training would have been useful.

It was apparent in all the prisons that being a chair was an extremely time-consuming and stressful position and both women and management said that often after six months in the position women were exhausted by it. Whilst acknowledging the truth in their experiences, as an outsider it was apparent to me that training of the chair and support of the chair particularly by outside organizations could considerably lessen the load and lengthen the lifespan of committee members and chairs. This was also a comment made by many former committee people and outside organisations that have contact with committees.

### 2.9.2 Women's Own Resources

There was a consensus that the job of chair was extremely onerous and many women and staff said that after 6 months chairs were exhausted. Given the amount of work that chairs did it was obvious that having more women on the committee who shared the work would assist. One outside advocate said, 'The committee is always on call. It's no wonder that women are exhausted after six months. I'd be exhausted too having 100 women whingeing and complaining the whole time. And then you go to management whingeing and complaining and nothing changes. It would be exhausting. Women are doing more of the work of staff and everyone gets exhausted by face-to-face casework.'

A chair agreed, 'It's exhausting, you're always on call. Because I'm a lifer I want to improve whatever I can, for other women. Because I've been around a long time, I know what it was like and what is being changed. I know the history. It's important you have a history of what happened when you're on the inmate committee. I make sure my files are in good order because otherwise when we go, the history goes.'

On the issue of burn out amongst committees and chairs one outside advocate said, 'You can see the difference in women on committees who are involved in some outside activities. When you see them involved in political action and outside action it is energising to women. When organising around legal cases which are systemic, you can see that it is invigorating. When you are doing more than just complaints and

you're going somewhere with what you're hearing, other than just back and forward to the warden, you can see women feel much more empowered. When you have been bringing things up and they can't get resolved after 18 months it makes women feel powerless, and tired.'

All women who were chairs said the greatest skill they needed was an ability to be impartial as often they were dealing with disputes between women. And that, 'often short-termers didn't care about the impact their (bad) behaviour was having on everyone else because they are getting out soon. You need to be able to sort that out without making them your enemy. You also need impartiality in disputes with staff. You have to be able to listen to all sides and you need to make sure women know that if they tell you things that didn't happen or lie, it makes it really difficult for you as chair because you are the one who loses credibility for all women...you need to be able to discern what issues are worth taking up to management and when you are flogging a dead horse here, so that it is better to take it to an outside group. You've got to know the prisons operating procedures, lines of authority and to be bright to their lies.'

Some comments by women about good committee skills were, 'A long-termers old head is often best as chair because you're in for the long haul, you know the rules and procedures and you've got nothing to lose. Your parole isn't hanging over your head and you've got an interest in minimizing the shit going on because it's your home.' Some chairs identified that the position required a high level of emotional maturity and the 'you need to put principles before personality. I can't just support women because I like them, it's their issue I have to take notice of, not whose issue it is because what you are doing is not just for here and now it affects the future'. Another woman said, 'When you have the younger ones on the committee its good because they are real vocal.' One warden commented that, 'the chair of the committee needs a lot of patience.'

Good organizational skills were important but in some committees it was obvious that the chair was not great in this respect, but other committee members were. A significant skill that some women were taught by others was learning how to manage management, in their meetings with them.

Women on the committee who were committed to advocating on the outside said that they needed to understand politics and the political environment they were operating in. Women in California in particular were frequently writing directly to members of Congress and identified that this was an important resource to understand. They also said that they needed to be able to work respectfully with women inside who could not read or write well to assist them in taking up matters in writing, both within and outside the prison wall. Chairs underlined the importance of understanding confidentiality and that as chair they had to really impress this on the committee members.

A knowledge of resources that could help on the outside was something that some women already knew but that most women developed when they were inside prison through discussions with each other. It was seen as important to have someone or

some organization on the outside that could take up the ball and run when there were no other avenues within the institution open to the women.

Women didn't get a lot of thanks for the job. A chair said, 'you're sitting in prison, you can't expect praise but I was doing some committee work and one of the other women was working really hard. I didn't know whether to praise her or not, because I thought if I praise her she might stop doing a good job. But I decided to tell her anyway and she was really, really pleased that I told her and so I felt good too. No-one praises work in prison.' One staff member said that the job of chair was relentless and thankless and she would bring in a cappuccino for the chair to show her appreciation of her work because no one else seemed to notice.

### 2.9.3 Physical Resources

The physical resources provided by prisons to committees varied widely. In Canada head office said that it was up to individual prisons to decide how to manage the committees and what resources to provide them. In some prisons committees had their own room with a computer, filing cabinet and internal phone with access to a photocopier to copy minutes to distribute to the population or to display. In other prisons there was no office and no (internal) phone. In California there was an office and a typewriter. In one prison the committee was being charged for photocopying out of committee funds, in another they asked outside groups to donate paper.

There was no money made available by any of the prisons for tea, coffee or biscuits, even though scores of women came to the committee to talk, vent and complain. This meant that committee women were using their own extremely limited resources to purchase these items.

### 2.9.4 Staff Resources.

Frequently a staff member was allocated to be 'committee liaison' in the prisons procedures. This role was seen as spanning a role from facilitating the functioning of the committee to acting as a gatekeeper for management. In Canada they also had responsibility to oversee the administration of inmate committee and canteen funds. In a prison of 100 women this was in excess of \$1 million a year.

In one Canadian prison, the committee liaison worker took on a role of providing rudimentary training on meetings on her own initiative. Various staff said that from 30-70% of a designated staff member's time was devoted to committee work. When it came to planning social events this staff member was key to vetting proposals so that they were presented to management in an appropriate way. Some committees felt this staff member played an overly intrusive role in the committee and how it managed things. In other prisons this person only came in, when the committee requested.

One warden said, 'We dedicate one staff member to liaising with the committee and three-quarters of their time is looking after the needs of inmate committees. You need

to invest resources. There is no point forming a committee and leaving them on their own. You need to have clear expectations as to what they are involved in and what they are not involved in. This must be clearly laid out to staff, the committee and the general population. You need to feed and water the committee.'

Staff pointed out that they didn't get any training on working with committees, meeting procedures, minute taking or how to train others. Moreover as these staff were prison officers, these skills were not usually requirements of the job.

### **3. In Practice What the Committees Did**

The documented role and responsibilities of the prisoner committees provided the framework for the committees operation. However what the committees actually did on a day-to-day basis ranged broad and far and in many instances there was a clear overlap between the work that committees did and the work that prison staff should do. This overlap was recognised by prisoners, staff and management and was an issue worked out on the ground rather than one that was felt could be usefully addressed in written procedures.

#### **3.1 Resolve Disputes Between Women**

##### **3.1.2 Women's Views**

Historically in South Africa the key function of committees was to resolve disputes between prisoners in order to have as little contact with apartheid's prison management as possible. In Canada women also described dispute resolution as a key feature of their work, although nowhere was this role written down. It was also said by outside observers that a culture had developed in women's prisons where women were expected to mediate and keep order amongst each other, whereas there was not the same expectation in men's prisons.

Women in the prison population I spoke with said that it worked best for them to have the committee try and resolve disputes between themselves rather than calling in management. At times women asked the committee to intervene, at other times the committee itself intervened. Prison management also called in the committee to undertake this dispute resolution role. Management sometimes also called in chairs in crisis situations between women, but the committee said there was always a staff member there to intervene if necessary. Women on the committee said that although management initiated their involvement, it allowed women to voice their concerns and grievances with each other without management knowing. One chair said over her time as chair and on the committee, 'There have been hundreds of times when the administration has asked questions about relationships between women but I'm really clear that that's not my role.' Another benefit of the reasons for disputes between women being kept away from and confidential from staff, was that it reduced the ability of staff to play women off against each other using this information.

The chairs were also often called upon when prison management had decided to move a woman. 'Management would call me if there was bloodshed in a house or they had to move people and put a woman in another house. Change is hard to deal with in prison because you have very little say on anything. They would call me in to help women understand what is happening because it makes a big difference if the person telling you can relate to what are going through.'



Various chairs also said that they would on occasion suggest unit/cell moves for women within the prison. 'There are times when I will go to management and say unless you move a particular prisoner from a unit there will be the trouble. I wouldn't say why they should move the woman but would let them know there would be consequences if they didn't.'

If there were disputes between women and disciplinary charges unfairly resulted in a woman being placed in segregation, if the chair knew what had happened some said they would go and advocate for her to be released back to the population. They indicated that this was rarely done, however there were times when, 'without 'putting other women in' you can let the prison know that something really unfair has happened'. This type of intervention in relation to individuals was specifically prohibited as a committee role in all Standing Orders I saw, however it went on.

### 3.1.3 Management Views

Management said that the committee had a key role in dealing with low level disputes between women. Staff indicated that a lot of times if there were problems in the house women will call in the inmate committee to get them to voice their concerns. Committee members were also called in by management to assist women who were distressed and who felt safer talking to another woman prisoner rather than to a staff member. There was also some overlap in the work of committee members and peer support workers whose role was to provide support to individual women.

There was discrepancy between wardens, as to whether or not chairs would be used in more escalated situations. Some wardens said they would use the committee even when incidents had escalated into crisis, provided it was safe to do so. When the committee or chair was called in response to an individual, management had to be concerned about whether the access they allowed the committee chair was a breach of security or not. Others wardens were clear that although a chair would be called in to try and prevent an issue escalating, once it had, this was a role for staff. 'When there is a fully fledged drama and we are going to crisis management model, we might call the committee in the beginning to assist us. If there is the conflict in the house we will use the inmate committee and peer support workers to help facilitate meetings in the house and attempt a resolution.'

One warden indicated that if there was a hostage taking, that they would go to the chair to try and get a background on what was happening and may even use her in negotiations if it was safe. Another warden said if there was an incident that she may use the inmate chair as a negotiator so she can be the voice for the rest of the population in the situation and also act as the voice from the population to management about the situation. Another warden commented, 'We would never place anyone on the committee at risk. If there was a situation we might go to the inmate committee to provide us with background about what's been going on for that woman or to gather information. We had one woman escape on a day leave so we asked the inmate committee chair and the house reps to find out if there were any precipitating events.'

Staff also described how the committee would come to them if a woman was upset or concerned about an issue at home on the outside, or they might suggest a move if a woman was causing problems in the unit she was in. Management said that most of these issues would be unknown to the staff before the inmate committee raised them.

### **3.2 Information Medium**

Articulated in all Standing Orders was a primary role for committees in facilitating communication. This communication role for the committee operated on a number of levels, both within the prison and outside. Not only was the committee a conduit for information down from management to the women, it also had a role in voicing women's concerns, points of view, policy positions, complaints and projects up to management and to outside bureaucracy.

Management used the committee to relay both formal and informal information. Without exception wardens and senior staff I spoke with said they that they could not envisage being able to get information out accurately to the entire prison population, without the committee. Although one warden said, 'it's not the inmate committee's job to relay information. I might ask the inmate committee to do some damage control to help us explain to the population why the decision has been made, why we're doing what we're doing.' It was recognised that the committees have more credibility with women and a rapport so that explaining changes and rationale for change came better from them.

This role of standing between the decision maker and the population who must abide by these top down imposed rules, was extremely important but potentially fraught. One warden acknowledged that using the committee in this way carried a real risk of management losing credibility with the committee, because the committee women often received far more (negative) feedback about changes than staff because prisoners felt safer venting to fellow prisoners than to staff. Not only did the committee create a buffer for management when changes were unpopular but it enabled them to fly the flag of proposed changes before they were implemented.

Committees were also used to deliver the bad news to women when activities including visits were being cancelled at the last minute. The last minute cancellation of activities in prisons is commonplace and usually very upsetting, as the monotony of prison life is only infrequently punctuated by activities that women enjoy or feel they freely participate in. Using the committee in this way can put it under a great deal of pressure although one chairperson said that, 'if there's bad news for the population like someone has died or activities are being cancelled, management will ask me to tell the women. I'm happy to do that. I would rather do that because the women trust me.' It is this relationship of trust, with women and management which can become fraught

for all concerned, particularly if management are not completely up front in giving the reasons for cancellations and changes, which can make chairs feel compromised and used if a different story comes out later. The pressure this places on chairs is significant.

Examples were also given by management of situations where it was important that the general population know what was happening during certain incidents. 'We had a situation where a woman had to stay out overnight in hospital. Women would be wondering if anything had happened to her so without breaching confidentiality we can let the committee know that the woman is okay, would be back the next day and this stops unnecessary rumours.'

There were also instances given where management used the committee to deliver information to individual women. 'There are times when the administration has asked me questions or there might be information they want to give to women but they can't. For example one woman got an illegal tattoo. She was quite sick and staff had seen that her leg was badly infected but she wouldn't go to medical because she was frightened she would get charged. Management came to me and we cut a deal. I said I would get her to medical as long as you don't charge her, and that happened.'

The committee was an important line of communication upwards from the population directly to the warden. There were a number of examples given when staff had failed to let wardens know of issues of significance and so the ability to make direct contact with the warden resolved this problem. One warden said, 'I know exactly what is going on because the inmate committee have direct access to me. They can pick up the telephone in their office and ring me and they do.' Many wardens indicated that things came to the committee meetings which she attended, which were totally new information to staff and to her in terms of issues and concerns of the women. Committees were clear that in those meetings their job was, 'not to sit and discuss individual women with management I am here to help women as a whole.'

Women on the committees commonly spoke about staff coming to the inmate committee to find out what the prison rules were, 'because we know more than them. Prison rules and how they are applied are more important to us than to them'.

Outside organizations also use the committees to communicate directly to women. The California Coalition for Women in Prison contacted the WAC to pass information around to the population about their programme of providing transportation to the prison for women's families. In Canada I saw many circulars posted on boards from CAEFS advising the committees of new policy developments, court cases involving prison issues and other matters of interest to women inside which CAEFS asked the committee to pass on to the general population.

### 3.3 Complaints and Advocacy

*'The rules change all the time. This committee keeps management accountable. The place would be going up in flames if we didn't have this committee.'* Canada non-committee prisoner

The major role committees seemed to have, was in voicing complaints about how the prisons operated on a day-to-day level. Women both on the committee and in the population were clear that women prisoners were often scared to complain and the committee provided a degree of safety for this. Although chairs said that on many occasions when the committee raised a complaint the prison wanted to know who had made the complaint, they generally said that they didn't tell them.

The committees identified that women were constantly coming to their door airing complaints. 'We have authority and some power, whereas if an individual tells an officer something, usually nothing changes and anyway you're never sure it will be passed on. It has more credibility coming from the committee than an individual even if it is actually only the complaint of an individual woman. As an individual you wouldn't be heard. You are in their total control, the inmate committee helps with this.'

The committees also advocate for parts of the population who are seen to be less 'deserving' because they are in discipline or segregation units. 'In maximum-security lots of things are refused for us because we are in max. We didn't get Christmas lunch. If we go through the committee though sometimes we get things.' In Canada committees also go to outside organizations such as CACs (Citizens Advisory Committees) and CAEFS to get leverage for issues when they feel their complaints and requests fall on deaf ears. 'Often we have to fight the petty things...clothing, personal items and if we don't get anywhere with the warden we would go to the CAC for them to raise the issue with the warden.'

#### 3.3.1 Examples of Complaints Taken to Management by Committees.

In California I had the advantage of being given the minutes from the committees and subcommittees over a number of months. Committees said that all these issues in the minutes were resolved, in that answers were given, although not always to the women's satisfaction. Many of these complaints took years to finally resolve. I have included below a sample of WAC complaints from the minutes of their meetings with management.

Clarification is required regarding slippers being worn in day rooms. After reviewing the written standards for inmate grooming, slippers were not addressed in them. Since slippers do not pose a security risk, a memo is to be generated authorising inmates to wear their slippers in the day rooms.

Problems around inmates not being allowed to stand up in the day rooms. Staff constantly yelling over the microphone for inmates to sit down.

Inmates want clarity on wearing sandals without socks. The only policy for sandals with socks is going into chow halls.

Women waiting up to six months for special order bras, so some women have no bra to wear. If women do not have a bra she is not allowed to go to the visit room so women are losing family visits.

Complaints about the constant moving of inmates to ethnically balance dorm rooms. Management explained ethnic balance was policy. Black inmates not receiving equal treatment when it comes to placement in tobacco free rooms.

Rumour that some of the hobby programs were about to be axed which management clarified would not be happening.

Problems with outside mail meant that many women were missing their 'appeal time' date restraints.

Complaints around the issue of clothed body searches particularly for women with abusive history.

Staff continuing to deprive inmates who had medical problems that require antibacterial soap and bio-waste bins.

Chicken is being served under cooked, the juice is being served frozen, kool-aid is being served with too much water, food is being served with mould and spoiled. Food manager said that women can exchange this food. Dining rooms running out of cold water when the second unit enters the chow hall.

Complaints that staff are confronting inmates who are alerting supervisors about inconsistencies in lock downs, phone calls and laundry slot. The institutional count is not being done at the correct time so that inmates are written up for not being on their assigned beds.

Issues with follow-up to post operative procedures. Problems with inmates going without medication for weeks. Complaints about the number are medical lines operating. Women who are booked to appointments for dental/medical who are late by five minutes because of work release are not being seen and required to sign a refusal of treatment.

Women only given seven pads and three tampons a month.

All artifacts including a cross made by women were removed from the prison chapel. Management said this issue was researched but would not change.

In South Africa complaints were made that women's families who had extremely limited contact with them because of poverty, would line up for weekend visits having traveled many hours, but because there was no organised visit system and so many families visiting, some families were turned away. On an advocacy level the recently re-established Worcester Prison committee recommended that women there be given computer training.

In Canada women gave me examples of their complaints and I was given some committee minutes. 'We had a family day and they would only let four visitors in the door at a time. It was very cold outside and there were elders and kids waiting at the gate and because they couldn't bring jackets into the prison they were standing waiting for ages without out them and they were freezing. We brought this up at the management meeting and they said essentially bad luck. The next family day they let more than four in at a time so they listened. They changed how they did things but they never said anything to us like, yes you were right.'

Other complaints involved staff not assisting women accessing recreation areas, staff unclear on permitted prison areas and resources women in maximum security could have, problems with lockdowns and whether women had to be locked in their rooms or units, complaints that sealed/unused items not being allowed to be taken back to women's units after family visits, recreation equipment not being repaired, too many searches, unclear policy on double bunking. One chair described, 'We had a problem with a man working in 'stores'. Many women had issues with him handing them their underwear, and this was changed.'

Minutes I saw of Canadian committees contained a range of suggestions as well as complaints. Some suggestions were; requests for trade certificate training, request for 4 free stamps on arrival at prison, request for women to be involved in maintenance so as to learn skills, requests for helmets and masks for baseball, request for clarification for new women on the difference between a minor and major discipline charge, development of a proposal for women to get leaves to participate in weekly sporting events on First Nation's land. At another prison, 'we had a Christmas social and women had to have pat down searches. I did ask the staff not to do them in front of family and they were good about it. There were no surprises and no one was turned away.'

In Canada the prisoner committees also corresponded between each other to better inform themselves when advocating over issues in their own prison. Committees sought information from each other which included finding out about what art programmes existed in other prisons, what office space/computers/resources were provided to committees, canteen spend levels permitted and whether the committees produced newsletters.

### 3.3.2 Management Views on Complaints and Advocacy

*'The more complaints we get the more effective the committee is.'* Canada Warden

*'It benefits management because we don't have 100 women coming to the door we only have three'* Canada staff

Wardens and staff recognized that some women felt much safer going to the committee since they didn't feel comfortable talking to them. This meant that management heard much more about what was going on and wrong in the prison through the committees, than they otherwise would through the self-selection/censorship process of individual complaint to officers. One warden said, 'nine out of ten times when the committee comes directly to me it is a legitimate issue.'

Management saw the committees as being efficient in terms of their time because instead of getting individual complaints, complaints were generally received through a single source at a monthly meeting and had usually been through a degree of filtering as committees knew that senior management wasn't the first place to go with a complaint, whereas some women didn't. Complaints also came to management in a timely way so that an, 'incident involving two women doesn't fester slowly and then blow up into something that 100 women are all of a sudden part of.'

Some staff however did view the committee with disdain. One staff member relayed that at morning staff briefings when suggestions from the inmate committee were brought up, some staff would always make jokes and scoff at their suggestions. 'There are some staff who all their lives will think women in here are losers' he said.

### 3.3.4 Consequences for Committees Being the Avenue of Complaint.

It is extremely important that there are no consequences for the chair arising from the manner in which she may raise issues with management. 'As committee chair, if I go to management and blow my top, it needs to be recognised that I have the right to vent my frustration with out fear of it being written up. There are many times when discussions with management are very heated. They will say their "hands are tied", and I'll say "I don't care if your hands are tied, we are the ones fucking locked up, do something about it!" It is important that these interactions can happen safely. It's not like that all the time. But it does happen and it needs to be able to.'

In all of the prisons, women I spoke with said that women prisoners would tend to go to women on the committee to complain rather than staff because they can talk to the women and know they will get a better hearing. Another factor which reinforces the committee as the main repository of complaints is that many women said that in their experience very few of the complaints that the committee took up ever got a resolution, so it is some satisfaction for them to at least get a sympathetic ear from the committee. One of the consequences of the committees receiving most complaints is that women on the committee get exhausted because of the enormous number of little

things they have to do. This exhaustion is compounded by the fact they have little power to resolve complaints and so they are left with the frustration that this produces, and frequently they the committee, have little faith that there will be any satisfactory resolution by management to the problems that they raise. It is the combination of this burden and their own ultimate powerlessness, which sits with the chair and builds up.

In Canada another consequence of committees receiving most complaints was that when complaints are dealt with internally in the prison, this can stop it being lodged as a formal grievance. It also means that individual prison managers can say that there are no problems because a formal grievance hasn't been made. A formal grievance goes outside the prison to head office and there is a chain of accountability that kicks in. This can mean that the Commissioners office loses sight of what may in fact be system-wide issues, as do external NGOs and bodies such as the Corrections Inspectorate. These external bodies said that the lack of formal and documented complaints can undermine the legitimacy, particularly of NGOs to advocate around these issues.

### **3.5 External Advocacy**

#### 3.5.1 External Policy Involvement

Most policies and Standing Orders for prisons are not generated within the prison they come from a centralised head office. Prisoner committees play a role in communicating to the population new policies coming from head office and were sometimes asked by them to respond to flagged policy changes.

The importance of women's voice being articulated through prisoner committees on policy issues was viewed as extremely significant by the women. Women in the US and Canada indicated that the prison officers union was very influential in changes to prison policy and they believed it was necessary that prisoners also had an organised voice. Wardens also agreed that the union was a powerful body and they viewed the committees as in a sense being a prisoner's union voice.

There were no documented procedures anywhere and no consistency in whether the prisoner committees received notice of policy changes or proposals via the management structure of the prison or directly from external bureaucracies it was ad hoc. In California there had been a proposal to increase the percentage of prisoner's earnings which went into a victim's restitution fund from 20% to 25%. The committee wrote their own submission to the California Department of Corrections and provided information to other prisoners so that individual women could put in submissions. The committee also had input into a review of gender specific prison services. There were also changes implemented which made it more difficult for women who were lifers to



get parole. In response to this the committee wrote to members of parliament and to 62 attorneys seeking pro-bono assistance with these parole applications.

In Canada there were changes in train around prison officers wearing uniforms. For many years prison officers in women's prisons have worn civilian clothing but there was a move from the union to re-instate uniforms. I observed one officer in a maximum-security unit wearing, as part of a union campaign a t-shirt emblazoned with 'I'm doing hard time too'. The CSC had sought the opinions of women on the uniforms issue through the committees. There was also work being done around computers in prisons. One of the inmate committees had written to every other committee in women's and men's prisons to try and facilitate a coordinated response on the computer issues from all prisoners. Other issues that committees mentioned they had advocated about on a national level were; strip searches, citizen escorts, work release, cross-gender staffing, prisoner wages and classification.

According to wardens many of the complaints about procedures that committees brought before them were over policies decided nationally. One warden said, 'Some of the things women say to me you can't argue with. We have to revisit our policies. Some of their arguments are with national policies and I can't argue with women's criticisms of them.'

In Canada the Corrective Services Commission which is responsible for all federal prisons said that at times they would go out and directly meet with committees. They indicated they had recently consulted with committee's around cross gender staff and were in the process of sending a team around consulting women about uniforms. Their objective was to review staff and prisoner opinions. 'It makes it easier to bring in policy if women have known about it beforehand in a consultation process.'

One warden indicated that when the Canadian Human Rights Commission sent out reports and asked for recommendations, that the prison would make copies of the report for the inmate committee. He said that management would approach the committee, either to sit down and chat with them in order that management could incorporate the committee's comments on the issue, into the prison's response or alternatively suggest that the committee write directly to the CHRC.

Of course whether consultation around proposed policy is done to be able to tick a consultation box or whether it is real, was a concern many women raised. The apathy some women felt about responding to requests for input into policy was explained by many as a belief that women's concerns were recorded for form rather than function.

### 3.5.2 External NGO Involvement

One particular interest I had was in looking at the contact that committees had with external NGOs that did work around prisons issues. I endeavored to make contact with organizations that I thought may do this work before I undertook my travels, however I had limited success in making these connections. One reason being that it appeared, just like in Australia, that in fact very few NGOs do any work with people in

prison or on prison issues. One consequence of this is that the organisations that do undertake this work are extremely busy, overstretched and often focused on getting the direct work with prisoners done, which makes time available for responding to other requests limited. I was though able to speak with some NGOs that did this work in each jurisdiction I visited.

When I spoke with the committees about this it was apparent that few outside NGOs do in fact have contact with them. Some NGOs in California felt that the committees were too aligned with management. In South Africa prior to the demise of women's prison committees there apparently was some contact and even now the recreation committees are a source of information about (non-recreation) prison issues for NGOs. Canada was the only place where this contact was ongoing and longstanding and one NGO was nominated to me by women as being extremely significant to them. This was the Canadian Association of Elizabeth Fry Societies (CAEFS).

In Canada I was shown letters by women sent to all committees from CAEFS seeking their input on a wide variety of issues from computers in prisons, health, deaths in prisons, commemoration days, external policy reviews and human rights complaints. Women often referred me to CAEFS when I spoke with them about policy changes and all nominated CAEFS as a place where they could go to seek external advice. It was apparent too that workers from CAEFS had contact with committees about what was going on in each prison and in some prisons CAEFS were able to sit in as a silent observer on prisoner committee meetings with management. Women and staff indicated that this made a difference to how the meetings ran and in particular women said that they were a useful 'witness' to a tendency of some prison managements to keep putting off answers to questions to the next meeting. Amongst management there was a high regard for the advocacy work of CAEFS both for individual women and on a systemic level.

One CAEFS advocate said, 'When we visit the prison we will often ask if we can attend a committee meeting. We can often inform women about broader policy issues happening on the outside which may be relevant or of interest to them. This outside perspective is one women often do not get. It also means that we can assist in issues around meeting procedures, structuring meetings and strategies in coming up with proposals. It also informs us in our broader policy work with the Canadian Corrective Services Commission and enables us to take things up to them when it is getting nowhere at a local level.'

In Canada, I also found that the committees and sometimes only the committee chair met with Citizen Advisory Committees. These bodies have a quasi NGO character, however they were established by the Canadian Corrections Commission and member appointments are made by them. The CAC members are drawn from the community and service organizations. They meet with women from the prisoner committees as well as management. They were introduced to allay community concerns when a swag of new federal women's prison were opened across Canada in the mid 90's and were established as a bridge between the prison and the community. Women prisoners said that they asked these committees to take up procedural or policy issues either directly

in support of prisoner initiatives or when the committees had struck brick walls at a local or national policy level.

One example of the CAC being used to advocate for policy change was one prisoner committee I saw developed a detailed proposal for changes to the amount of property that prisoners could have, noting that the amount had not changed in twenty years. The proposal had recommendations around changes in the amount and description of property and a suggested depreciation regime to take account of the reduction in value that occurs over time. This proposal was sent to their CAC asking that they table it at a national meeting of all CACs. The prisoner committee also sent their proposal to all other inmate committees suggesting that they too lobby their own CACs.

Another reason CACs were seen as important by women was that women were able to sit down across a table and meet with community members who were not part of prison management and who had no control over them. Women said, 'we feel like we are being listened to.' Women on the committee were clear that often CACs got a better hearing from the prison and the CSC than they did and that because of this CACs could be effective in influencing external policy. Whilst the connection between the CACs and the committees was said to be important by prison staff, women cited examples of management trying to control and demean women's participation with these committees including women being told that they were not allowed to eat the food that was provided for the meetings with the CACs.

The citizens who were on the CACs that I spoke with described how important having women meeting with them was. One said 'the first meeting I went to, the women were really hesitant to speak and express their opinions, but after a while they heard the support at the table and were more willing to speak. Having outsiders there, gave them confidence after a while. You could see that the women felt that this time they would be heard.'

Whilst prison chaplains are not external to the prison often they are a valuable link to the outside and some of them had close relationships with the committee. Some committees would seek advice from them when having difficulties with prison management over issues. One prison chaplain said that inmate chairs would come to him to assist in defusing issues that the committee had not been able to resolve with management and that he would be able to call the deputy warden in and try and mediate the issues with the committee there and then.

### 3.5.3 Government Prison Accountability Bodies

The body of the Annual Report of the Canadian Correctional Investigator opens with notes from the 'First day of an institutional visit...9.30 am...The meeting with the inmate committee is winding down...the committee can be counted on to get to the point...(complaints are raised)...the investigator provides information and advice on how to proceed and undertakes to (raise issues with the warden)...the committees

comments on computers (in prisons) will be folded in to a mediation that OCI is about to have with CSC national headquarters'.<sup>13</sup>

In Canada in particular, prisoner committees were used as a significant resource by the Office of the Correctional Investigator (OCI). The OCI is an independent investigator established in 1977 which attempts to resolve individual complaints and reviews and makes recommendations on CSC policies and procedures. It has a role in individual and systemic issues.

Before visiting a prison, the Correctional Investigator (CI) would write to the warden and ask that a note be posted up around prison to say that they were attending. The warden was also asked to advise the inmate committee. The investigator indicated that some prisons do advise the committee and some didn't. The investigator did not write directly to the chairperson of the committee.

On visiting women's prisons the CI said that she met with the committee first and this gives her an opportunity to get the lay of the land, find out what the systemic issues are and importantly to find out what has happened since her last visit in respect of recommendations made or issues raised then. The committee may also give her the names of individual women who may not have put their name on the CI's visits list. This was another aspect of the committee providing some protection to women who didn't want to make direct complaints and putting ones name on the CI's list was a sign that you did have a problem with something. At the end of the visit the CI would endeavour to touch base with the committee as well as brief the warden about what she has found on the visit. A debriefing letter was sent to the warden who included her own observations and issues that the committee had brought to her attention. The committee did not get a written follow-up letter, which the OCI indicated it had identified was a problem, but which they said was an issue of resources.

The OCI observed that in women's prisons, the inmate committees are not constant and that, 'things can go round and round for years and nothing is really resolved'. She observed that the committees were more stable a few years ago but now every time she visited a prison it was almost like there was a different inmate committee. The OCI visits each prison three to four times a year. She noted that on one occasion the committee was only elected the day before her visit and that in some prisons there was no functioning committee and this was a matter that the OCI had taken up with CSC. In fact just prior to one visit she said a prison had not had a functioning committee for almost 12 months. She also observed that in the men's prisons the committees tended to have more longevity and that the trend in women's prisons with shorter sentences and parole reviews often going on, meant that women were more focused on getting out and not as interested in issues inside the prison. She also made the observation that because men's prisons are so much larger, the pool of available people from which the committees can be drawn is much greater.

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<sup>13</sup> Office of the Correctional Investigator Canada *Annual Report 2003-4* Minister of Public Works and Government Services Canada 2003 p.11

On the issue of the committees providing women with some protection from retaliation for making complaints, the investigator observed that when women do make complaints, it is noted on the woman's prison file. She said that if a woman had made many, many complaints which had gone nowhere, the woman often didn't take them to the next level, which was a formal grievance, because she thought there was no point, them having been rejected at a lower level. She had been told by many women and had observed on files, that women who make a lot of complaints can end up getting charged with minor offences, for example being disrespectful. The CI said that women had told her that officers had said to them, 'you put in a complaint against me. I thought we got on well. Your parole is coming up. And then a minor charge is laid and the woman is virtually told that if you withdraw your complaint the charge will be withdrawn.'

The CI observed that there was a push to resolve things informally which meant that outside bodies like the OCI cannot know what's going on inside the institution. This was where the inmate committees were invaluable in providing information about what was really going on. The OCI also observed that some staff and management actually rely on women to make complaints so as to be able to discipline staff.

She also identified that some of the prisons that have the most problems, actually have the least number of formal complaints going in. She noted that if the committee's were functioning well often a lot of grievances weren't made which masked the problems to outsiders, which was why it was particularly important for the investigator to meet with the committee. However with a lesser number of formal complaints and grievances being made it could make it harder to negotiate with the institution around change. She indicated that there were times when particular inmate committee chairs had never called the OCI, yet when the inmate committee chair changed her office got bombarded with complaints. The OCI described how in one institution, at the time of the committee changeover, they went from five contacts with the OCI to eighty five. She said that during the time when complaints were low there was no committee actually functioning.

The OCI indicated that there had been some complaints from women about prisoner committees. Issues like that a woman on the committee was doing things for herself or her own group. She also indicated that she had received complaints about election procedures and that she had received one complaint from a segregation unit where women had wanted to be able to vote in an election but had been denied.

The CI also observed that the constituency of the committee has very high needs and so often the committee didn't get to focus on the systemic issues but were more focused on resolving the individual problems of women. However from her perspective the committee was very important in pushing systemic issues. She indicated that if a systemic issue had come out and the inmate committee was pushing it, the issue was more likely to move along. An example given was the number of 'waivers or postponements' of applications for parole (which essentially were in the hands of the prison). The investigator indicated that she would compare the rate of postponements of parole applications across prisons and if it was extremely high in one institution she would talk to the inmate committee about this and then take it to

the warden. Then if the committee was active in pursuing this in meetings with management, along with the OCI's oversight, the level of postponements would often reduce.

The OCI also said that if committees approached her about a proposal they were putting in for a program or activity she would often assist them in how to frame the proposal. She agreed that that it would be extremely helpful if women were given training around meeting procedures, proposal writing and the like.

In South Africa the Judicial Inspectorate of Prisons was established in 1998. The Inspectorate there identified that prisoner committees, other than recreational committees were not operating although in one prison I visited, one had recently been established on the initiative of the warden. The Inspectorate indicated that in their view, committees in men's prisons tended to be associated with gang activity, although this was not said of women's prisons. Instead of relying on inmate committees for information and complaints the Inspectorate in South Africa relied on a network of Independent Prison Visitors for this role.

### **3.6 Social Events and Fundraising**

The organization of social events was a major focus of committee work. In California and South Africa separate committees were nominated to do this work. In Canada it appeared to merge with inmate committee work and there was a trend in some prisons there for social events and recreation to be an increasingly key role of the committees. The ability to participate in events organised by the committee was also used by the prison as an incentive for women to 'behave' and in this way became a tool of prison management.

An enormous amount of committee time was spent developing written proposals for social events so as to get prison approval and doing fundraising in order to pay for the events. In South Africa recreation committees organized; outside sports events where women were released to play on the outside, family days where families came into the prison for special visits, and internal events like Valentines Day functions. In California I was only told of internal food fundraising events and in Canada they organised a variety of events including Christmas and special occasion meals, dances, karaoke and bingo. In Canada women said that there had been a shift from the prison taking responsibility for these events to them becoming the responsibility of committees.

The inmate committee in all prisons I visited had a budget allocation that came from a direct debit from prisoner's money as well as canteen proceeds and other fundraising activities, although in South Africa women complained that they saw little of the inmate committees account money. In some prisons a fixed amount of women's prison pay went into the inmate committee fund. Women described this as being like union dues. In Canada the committees were involved in running the prison's canteen with a staff member and they received a percentage of the profits, around 10% to pay

for social events. Canteens in prisons provide women with everything from coffee, tea, chocolates, cigarette and biscuits and had turnovers from \$1,000 a week to \$20,000, depending on the population size. Women often paid slightly inflated prices for goods. Running the canteen was a particularly onerous task. Because there is no cash in prison everything is done through paper accounting and women's accounts have money taken from them. Women also did separate fundraising by for example, ordering in hamburgers, charging \$8 when they cost \$6, the \$2 difference going into the committee account. Whilst the committees were unconcerned about the amount of work this fundraising involved, staff felt it took too much staff time.

In Canada in a prison of 100 women something like \$3000 would be spent on a family day and this was the responsibility of the committee to plan, get approval, fundraise and organise the day's events. This planning involved negotiating with management about prison staffing levels, health and safety issues, risk assessments and the like. As well as these events the committees sometimes bought things for each unit eg microwaves, craft materials, barbecues, a karaoke machine and cable TV. Their committees also bankrolled events for specific interest groups/committees within the prison so for example in Canada if the Native Sisterhood wanted to put on an event and didn't have enough money, they would ask the prisoner committee to assist and then pay them back.

In Canada maximum-security units did not get to participate in committee organised events although their money was in the pool used to pay for them. Women in maximum-security that I spoke with said that they had often complained about this to the inmate committee and management but that nothing had really happened about this except that one woman said that one year because the inmate committee advocated for them to management, women in max got a special Christmas lunch whereas usually they missed out. Other women said that on occasions when there is an event (which involves different food from the routine) women on the committee might bring some down for them, but often women in max/seg were oblivious about, and certainly uninvolved in, such activities.

In Canada there had been such a focus on fundraising in some prisons, that women were stopped from seeking outside donations for events because this was seen as an embarrassment to the prison in not itself funding these events. In other prisons committees were stopped from fundraising from staff (chocolate sales, craft raffles etc) because so much fundraising was going on.

In each jurisdiction women also did fundraising and craft activities through the committee where the proceeds went to outside organizations like women's refuges, shelters and poverty programmes. These activities were seen to be extremely important by women in terms of 'giving back' to the community. This aspect of committees, in giving women an opportunity of giving back to the community was spoken of by all committees. In California the women were proud to have donated US\$15,000 in the last year funding a programme outside for young women at risk. Whilst I was in Canada, women were whipping around for the tsunami appeal. In South Africa they provided money to support AIDS orphans.

## 3.7 Co-Option?

### 3.7.1 Doing the Work of Staff

The issue of whether women on the committee did the work of staff was fairly uncontroversial. It was clear that they did. This was acknowledged both by women on the committee, women prisoners, wardens and staff. One warden commented that, 'in times of cutbacks to staff you realise how much work the committee women do which could be staff time.' Another commented that, 'with a good chair staff would often ask the women to do what in fact are staff duties. They should not be asking women to do the work, but it can slide into them doing more staff work. This is why chairs become very tired.'

One outside Canadian advocate said that the committees were very proactive in making proper referrals for women to outside agencies and within the prison. She observed that women will often go to the committee rather than staff, because they will get appropriate referrals and committee members often know what's going on in the prison and how to get things happening whereas some staff don't. Committee women were also seen, 'as being much more motivated to get things happening for women than many staff, who either didn't know what to do or who didn't care'. Committees echoed this sentiment, 'Everyone comes to us all the time because we will go that bit extra. We had one woman whose mother had died and the staff said they couldn't get her to the funeral on a particular airline. I found out that another airline also flew to that destination. So she got to the funeral but with no help from the staff.'

A non-committee prisoner said that staff will often, 'shuffle and buck and say ask the committee even though they know that it is their business.' One former prisoner said that what prevents committees being manipulated into acting as staff is if there is an effective committee surrounding the chair which discusses what work the chair is doing and what requests are being made of her, both from staff and women. She said that whilst one person could well be manipulated, when there are five effective house representatives on the committee this makes it more difficult.

It was also said that in Canada the chairs are doing a lot of the work that the program officer should be doing so that now the program officer or the leisure coordinator are monitoring the programs/leisure work of the committees rather than doing the work themselves.

The flow of information down from management and up from the population to management, was an issue of some complexity. Women on the committee clearly became the communication channels for information and management decisions which had (or hadn't) been communicated by staff. One warden noted that, 'On occasion, we do use a committee to soften the blow. It's a pervasive thing, we can't talk to 100 women. The job of the committee is to take the decision and translate it to the women...however inmates don't need to take flak for institutional decisions, they are there to act as a liaison with management.' In being the messenger and translator



though, women are in difficult territory as they straddle an area between providing 'explanations' and being used to actually 'justify' them.

When staff sought information from the committee on individual women or on some troubles that they had detected, the majority of chairs were very clear on their role. 'If management come to me and asked what's going on, I say to them I am not here to do the work of management you go and do your work. I have very clear boundaries on what is our job and what is their job.' One chair said, 'there is always intensive intelligence gathering in prison, we have to be clear and transparent. We have privileged information that women give us. We might want to raise the general issues coming from this but we need to maintain women's confidentiality. It can be a catch 22.' Another chair though said that, 'a reasonable committee are the best source of information, they understand they are doing it to protect the women'. There are fine lines that committees walk in these situations.

### 3.7.2 Policing Women

The fact that women on the committee did the work that staff previously did (or didn't do) led to the question as to what extent women on the committee also took on the policing and control of fellow prisoners. It also raised the question as to whether women on the committee became prison management in the eyes of women prisoners.

There was a clear agreement by everyone that I spoke with that committees and chairs in particular, did keep a lid on things. One chair said, 'of course you put a lid on things. If there's a minor disagreement between women we try and mediate it, if its something out of our hands we involve the staff member. The only role of women on the committee is to keep the peace for the sake of the women not for the sake of management.' Another said, 'they try and get you to police the women. They'll say if this doesn't happen we won't let the women do this or do that. There was a lot of that.' Another level of policing made possible by the committee was that the prison used the social events which the committee organised to control individual women's behaviour. 'They will say to a woman that if she doesn't behave she won't be allowed to go to a social event we have organised.'

I was given many examples of where the general (good) behaviour of the prison was used as a carrot for extra activities and the messenger of the deal was the prison committee. One staff told me, 'The women wanted to have inter-house visiting on Christmas and New Year's day. This is where women can visit each other in their houses because generally they are not allowed to. Management approved it contingent on general good behaviour. The committee went to the population and said listen, we want inter-house visiting so don't screw it up. There was no slashing, no suicide attempts. Christmas is the hardest time of year in here but it went really well.'

This policing role of the chair however can only go so far. One advocate observed that, 'If the chair is someone that the institution approves of and gets on well with the warden and is respected by the women, they play a huge role in keeping a lid on things. However if they keep a lid on things too long they lose credibility with the women.'

Staff also recognized that, 'If women start to see the committee as staff, they lose their power.' One former chair put it this way, 'women didn't see me as management but they saw me as capable of managing their issues.'

Staff had a view that because women know more about what's going on than staff, that this gives committees 'a role in policing and keeping a lid on the population'. One warden said that she, 'hoped that the women do know more about what's going on in the prison than the staff.' She said that the, 'committee may be a mechanism of social control but it's more a mechanism to keep the balance. It's the environment that controls them, they can police themselves quite effectively by setting the tone of acceptable behaviour.'

One advocate who had experience of women's and men's committees said that, 'they don't expect men on the committees to police other men in the same way that they expect women to police each other and to settle the population and as well and to get along with management'. Another advocate described, 'a culture which has developed in women's prisons where women are expected to mediate and to help keep order and those who don't won't be chair again.'

### 3.7.3 Use of Committees in Prison Security

There were many instances cited to me where the committee was advised of a security action in advance. Invariably these were to do with contraband in the prison or missing items. Alcohol brew and drug searches are standard in all prisons. One chair said, 'Security came to me and said they know various stuff is coming in and there will be a raid. They know I will tell the women and I do.' At another prison a chair said, 'Staff came to me and said we know there's a brew and we will be doing a search for it. I let the women know. They did a search and it was found. They'll always find it if they look, so it just reduces the trauma of an unannounced search when everything is thrown all over the place.'

One warden described the benefits to management of communication of security action to the committee. 'My staff learnt there was a brew. We told the committee we knew there was a brew and we would be searching. There really is no overall benefit in an unannounced search because we will always find things, however it reduces the tension between our staff and the women when it is done this way. It also gives women the opportunity to get rid of it.'

Another warden explained, 'they aren't our eyes and ears but they can be fact finders for us. When we have missing security items we will tell the committee and they will go around house to house to retrieve it. We don't want to know where it has come from, we just want it back. This avoids us doing searches. This is good for the women and good for us. It is good for us because it doesn't affect our relationships with the women.'

### 3.8 Rats, Bullies and Benefits

Apart from the question as to whether women on the committee are seen as an arm of management, there was also the question as to whether women are seen as rats (informers), whether bullying happened and what benefits committee members got or were perceived to get.

Women on the committees were thoughtful and definite about this question. There was a recognition of the risk of being seen as too close to management, however their answer was that if they were seen or suspected of being informers for management or bullying women or getting advantages for themselves, they were clear they would not be re-elected.

In terms of being seen as informants, women on committees and in the population said that there was a risk of this, depending on the individual women on the committee and the chair. However it was said by one former chair that it was too obvious for staff to use the committee in this way and that anyway women were only on it for a short time. 'The prison don't need to use the committee to get information. They have plenty of other women. They use protective custody prisoners and women who have been charged with offences against children. The prison uses them. They use them to get information on women using drugs and threaten the women that if they don't cooperate and give information, they will let slip, what they are in for.'

'The second day I was on the committee, security came to me to find out information. I said to them I don't know what your relationship was with the former committee, maybe they got favours for information, but I won't.' This approach by staff was seen as being either a 'try on' that perhaps every new committee faced and/or a way of undermining the confidence of the current committee in the integrity of the past one.

On the other hand one chair said, 'if I knew a woman was really struggling, or going to hurt themselves and I couldn't handle it or get another woman to, it would have to be pretty extreme, but yes I would go to the appropriate person to get help. If I didn't do something and something terrible happened, I have to live with myself.'

The election process was seen as a clear control mechanism to prevent bullying happening and stopping it if it did. A South African former prisoner and committee member said, 'power can't be abused for long. You will get voted out. If a committee member is overbearing or bullying, their services can and have been terminated by management.' Staff agreed, 'If the election is held, well they won't put in a bully. Sometimes the population is afraid of the committee and they won't say they're not happy, it is a bit like the union, but they will vote them out next election.'

Women on committees also said to me that bullying by committee members of women wouldn't be tolerated. 'A lot of women have taken on the committee role for the wrong reasons and we really have to police each other and bring issues to the table. It happens that women bring up in the committee meeting that one of us acted

disrespectfully to another woman. If women on the committee abuse their power, it reflects on the whole committee.’

I asked women on committees and in the population about the actual or perceived advantages of being on the committee. All that women came up with was that if social events were being organised, they tended to be at a time which best suited women on the committee that organised it. One chair said her only benefit was getting the first pick of Christmas cards when they came into the canteen. One thing which was described as a benefit was that ‘being on the committee and in meetings with management gives you the opportunity to interact with staff in ways that you normally wouldn’t. You also learn to keep a level head in meetings and when you’re debating issues with them. But you never lose sight of who has the keys and that at any time they can tell you to strip and search you. This sort of thing can do your head in because all this pretence of having some power is just that, pretence.’

Another woman said that being on the committee was important because it gave her contact with the outside world. ‘I meet with people from all over the world. People from Africa, England all sorts of official people who visit prisons. I have conversations on all sorts of things, conversations that take me out of here, normal conversations. You’re continually fighting not to become institutionalized so it’s a great opportunity to meet outside people and not just have your world in here.’ The involvement with the Citizens Advisory Committees also had benefits. One CAC member said, ‘being on the committee and going to CAC I think helps women to be more assertive. Being in a democratic forum allows them to be assertive in an educated fashion. It assists them in to knowing how to use strength without having to put muscle on.’

There were however a number of instances cited to me of the disadvantages of being on the committees, particularly as chair. Some women who were chairs said that lower level staff would target them as well as their friends and that if they were talking with a group of women, a staff member would come up and ask what was going on. One outside advocate said that women on the committee had their rooms searched more often and were under greater scrutiny by the prison and that who the chairs talked to was noted. She also knew of instances where chairs were accused of threatening staff and that was a deal of posturing between some staff and committees chairs. Women said extra surveillance and interest in what they were doing was not tangible, but women were acutely aware of it. It was cited as a reason why many women would not run for chair. ‘When you run for chair, you know that if you get in, it will put the heat on your friends too.’

A prison chaplain observed there was now a culture of extra surveillance throughout the prison and this created an extra burden on women not to express anger or frustration. ‘There is so much more scrutiny of behaviour in the new environment of ‘dynamic security’ where there are eyes and ears everywhere and where people are always observing and labeling people. Now even normal reactions of frustration or anger are seen as more of a crisis.’ This was a particular problem for women who were chairs as they carried the frustrations of many women with them.

### 3.9 Why Do Women Nominate for the Committee?

None of the women I spoke with had been previously involved in any committees or like groups before prison. Women gave a variety of reasons for nominating to participate in the committees, although most of these were located outside themselves. One outside advocate observed that, 'women go on the committee out of a sense of duty, not out of a sense of entitlement about *their* rights and how they should be treated, but more about how *other* women should be treated. Women don't necessarily believe that they are entitled to programs, education and appropriate work, the same way that men in prison do.' This 'lack of an assumption of a sense of entitlement' she said also meant that 'very few working class, racialised or aboriginal women are on prisoner committees, racialised and aboriginal women tend to prefer to go on their own committees'.

These observations as to why women went on committees was borne out by the women on committees I spoke with. Generally they said it was to make sure that 'other' women weren't deprived of their rights. Some women were concerned that other women couldn't read or write and identified that this was a reason why women were unable to make complaints. Others saw that women were frightened of making complaints, particularly short-term women and so the consequence of this was that things became 'accepted' in the prison which shouldn't have been. And, 'in the past we didn't have all the privileges that women do now. There is much more that you have to lose. This has made women frightened to complain.' Another said that 'for me it was a way of ensuring that management are accountable, even though the women directly affected by things won't complain'. 'It's where I live and will for a long time. I want to make it as bearable as possible, you can't complain if you're not doing anything about it. There is so much fear in people's heads, somehow I don't have it, so I do the job.' Another woman who was a long-termer said, 'I want to protect women's rights. I saw all the work the chair was doing and I wanted to help her and knew I could take the heat (from management).'

In Canada many women spoke of a change in prison culture over the last decade. 'Women don't stand together any more. We all used to be in a line of cages, you would talk during the night up and down the range. We knew what privileges everyone got, everyone heard and knew everyone's business. Now we are mostly in these small units so there is much more separation between us and there is suspicion, "this person is getting that"...and so on. And you don't get a sense for each other. For this reason things can slip, management can do things and no one fights it. Everyone is worried about themselves. I am not like that. I also know what it used to be like. I will stand up and fight for what I believe in. Some of the younger women don't know what they've lost and I suppose I see I have a responsibility to them to make sure things don't get worse in here.'

One chair said, 'The attitude of women coming in now is different. I think there's a new breed of young women in here, more violent. They talk about respect but they don't walk it. You learn through a life of violence that violence is the only way to do

things, I learnt that too. Then they come in here and it turns to shit. I see these young ones thrown into seg and they can end up doing their whole sentence there. I want to be able to show them a different way and the committee is one way. I know you can't show your vulnerable side in here, it's dangerous, but you don't have to be a hard ass either.' One new committee member said 'I used to be bad. I used to fight with lots of people, with the guards, I was always in seg. The chair came to me at the right time. I was wanting to try and do something concrete with my time. She said I could help other inmates and learn new skills. We all live in the same situation and there were many things going on especially with us younger ones and I thought I could change that.'

One former chair said 'its hard for new women because they pour their hearts out to staff because there's not supposed to be the division between staff and women like in the old days, and next minute their charging you or stripping you, so these violations of supposed trust go on all the time. And then you see management treating women differently depending on whose ass they kissed and this creates a lot of tension in the yard. You need someone who can explain the culture to them so they don't get into so much trouble, so I do that. I've done hard time in here over the years. I know what can make their time easier, without licking ass. '

Another chair said that she ran because 'the previous committee had spent money on things that didn't benefit the whole population' and so she wanted to redress that, another said she ran because she felt that 'the committee was on the verge of being disbanded because a previous chair had abused her position'. Another chair said, 'I realised how important the committee was, when we didn't have one for a while. Over that time all these decisions were made by management without consulting women, changes to our money and the children and mother programme and I thought, this is wrong.'

## 4. Key Findings and Recommendations

### 4.1 What Will Undermine Committees Working

It is never written rules that determine the success or failure of ventures, although the existence of them can be important in facilitating success. With prisoner committees it is the willingness and commitment of management to work with committees that has a significant effect on whether the committees actually work or are merely another 'process' that must be gone through and ticked off as done. The women who are on the committee likewise have an enormous impact on how well the committee functions. However in reality, inside the prison the women's power is relatively insignificant in that regard, compared to the institution.

Wardens identified various issues as potentially undermining committees. 'It is important that management not use the committee to relay bad decisions as this will create a problem. Women want to be supported by the inmate committee. If they hear all the bad news from them it could compromise the trust between management and the committee and the population and the committee.'

Another warden said, 'It doesn't work if women start to rely on the committee, when they should be going to staff. I need to ensure that if my staff are approached by women to do something about an issue, that my staff do act on it. The committee will often come to me about an issue, which an individual woman has raised with staff and staff have ignored and not told me about. This only worsens women's relationships with staff and mine with staff and impacts on the whole institution, which is counterproductive to the whole idea of committees.'

One outside advocate said 'Women in prison need to be considered as real people. It doesn't work when they aren't considered human beings and deserving. Often they have to demonstrate why they deserve democratic and human rights, some staff have the attitude that they have to earn that right. The head of corrections said that "the criminal mind is not like mine and yours". This sort of attitude doesn't encourage staff or the community to recognize that women in prison have human rights.'

Committee women said, 'Management must not use the committee to interrogate us about what's going on. There are lots of other prisoners they can use for this sort of information, they don't need to use us. I have had staff come to me to take me aside for a chat. I have learnt that I need to take notes of these discussions, and let them know that whatever they tell me I will be passing on. They can't think of us as their rats or their lines of communication and information.'

Women also identified that if meetings between the committee and management don't occur as scheduled, the committees lose their credibility and the meetings are seen as perfunctory and only convened to satisfy procedural requirements.

## 4.2 Essentials for a Successful Committee

*I say to women don't kick ass and don't lick ass, find a middle road.* Canadian prison chaplain

In my discussions with women and staff a number of features became apparent as being essential to the effective operation of the committee and for the committee's credibility amongst the prison population. It is essential that there is a regulatory framework which mandates the structure and processes of prisoner committees. The existence and proper functioning of committees should be built into performance standards of the prison, so that there is head office leverage to ensure their existence. Perhaps most important is that there are effective external accountability mechanisms which are independent of the prison, which ensure that the committees exist and function according to their regulatory framework.

The committees need to have a clear mandate to deal with systemic prisoner concerns rather than being focused on recreational or fundraising activities to pay for recreational activity. This would stop the drift away from the core business of committees which is to act as a voice for women, rather than a recreational focus. The establishment of recreational committees and specific interest group committee's whether according to sentence (lifers/long-termers), culture or race-based can augment the work of inmate committees by including representatives of these committees on the inmate committee.

Committees must receive training. This should include meeting procedures, democratic processes, minute taking, filing systems, active listening, confidentiality, conflict resolution, strategising, skill identification, delegation and negotiating skills. This training would be ideally suited as a way of involving community and voluntary organisations in providing these skills as well as utilising the resources of women in prison who had these skills prior to their incarceration. Aside from deflecting any cost of training away from the prison it would be an excellent opportunity for bridges to be built between women in the community and outside organizations. It is also vital that all prison staff are trained by the prison about the role of the committee.

A circulated timetable of meeting dates, names of prisoner committee members, agendas and minutes of meetings needs to be displayed in all cell blocks and units. The prisoners on the committee must meet with the warden once a month. The staff member who is committee liaison should also be in attendance. The agenda should be written by prisoners and forwarded to the general manager three days prior. This ensures that issues can't be put off until the next meeting and enables prison management to obtain advice or information from relevant staff for the meeting.

The minutes of committee meetings should also be forwarded to head office, relevant policy bodies within corrections bureaucracies and to outside accountability bodies to assist in the oversight of issues which may not only be individual prison problems so as to inform policy development.



The prisoner committee needs a room, stationery, filing cabinet, access to a computer, photocopier, internal phone and phone lists of senior staff. The committee must get up-to-date copies of prison operating procedures and policies and should be advised of external policy issues which may have an impact on prisoners to enable them to have input into these issues. Depending on the size and the workload of the committee at least two of the members must have the committee as their paid work in the prison.

It is important that the power in the committee is not vested in one person, which is why an executive is necessary and why it is good to have representatives from the other committees (long-termers/peer support/culture based) on the prison committee. It is useful for women to have representatives from each housing unit or cell block on the committee so that there are good line of communication between the general population, the committee and back again. The committee should be representative of all women in the prison including women in maximum-security. Women on the committee need to have free access to the population throughout the prison, so they can speak with women in max/segregation.

Across all of the prisons I visited, women made it clear that it is very important to have lifers or long-termers on the committee. The reasons given were to do with the experience and knowledge of long-termers, the lack of fear held by long-termers about the implications on their parole and release dates if they are seen to be troublemakers and the fact that they have a greater vested interest in how the prison runs. It is not necessary, that this is mandated as women in all the prisons tended to vote someone on who was a long-term prisoner.

If there are both six-month and 12 month positions women with shorter sentences would be encouraged to participate and this degree of overlap would allow women to train new women, and not leave the committee in a period of hiatus when terms are finished. There must be overlap in the handover between one committee chair and the next.

The committee comprising prisoner only members needs weekly meetings to keep track of the temperature of the general population. These meetings do not need to take long, it is more important that they are regular. The chair must be able to access to women being held in maximum/secure/segregation units. There must be an opportunity for large meetings of women with the committee. Aside from having formal meetings structured in, both women and prison management agreed that the manager of the prison needed to have an open door policy to both the chair of the committee and the staff member who was committee liaison. This can literally be so that women can come to the general manager's door or to have direct phone access.

Written information must be included in prison orientation booklets on the role of prisoner committees. Someone from the committee should make contact with all new prisoners to explain the role of the committee.

All the systems in the world will not make the committees work effectively, without certain intangibles being in existence, which cannot be mandated. Women on committees, women in the prison population and prison management said that trust of women on the committee was the single most important feature required. Trust in prison management by the committee within the terms possible in that power differential was also important.

Women on the committee need to be reassured that expressions of frustration, anger and emotion are safe within the committee environment, particularly when they meet with management. This is vital because expressions of those emotions in prison can result in punishment or extra surveillance. Prison management likewise reinforced that it was important that women on the committee felt they could come to management and openly share their feelings with out there being a risk of retribution or their being anything 'written up' on women's files.

The ability for the committee to make contact with outside organisations was seen to be essential for a number of reasons. It meant that if women inside were getting nowhere with complaints or suggestions that pressure from the outside lent credibility to their requests and had more sway with prison management. It also meant that outside bodies could pursue other avenues of change, which were not available within the prison.

External accountability bodies such as inspectors of prisons and ombudsmen must meet with representatives on the prisoner committees in order to inform themselves about systemic issues affecting prisoners.

### **4.3 Conclusion**

This Report has detailed the operation of prisoner committees in various women's prisons in California, South Africa and Canada. It has also discussed the points of view of women in prison who are or were on the committees, as well as other women in the general prison population. I have also represented the points of view of staff and management about the committee's effectiveness and role from their perspective. The relationship between committees and various external bodies, both government and non-government is also discussed.

At the beginning of the Report I mentioned that there were some central questions which informed my investigation and I now briefly answer these.

*Can a committee that is a formalized part of the prison system legitimately be a voice for prisoners?*

In my view they can. The fact that they are formalized provides them with a degree of protection from the vagaries of arbitrary individual prison regimes and constitutes an important acknowledgement that people in prison have a right to a voice and must be involved in the discussion of changes to their lives. Having the committees though should not preclude the voices or points of view of those prisoners who wish to work outside committees.

*Does a committee do the work of staff and become a tool of social control for prison management?*

It is clear that the answer to both of these is yes. There was clear evidence that committees do in fact do the work of staff. It is difficult for example to stop women going to other women prisoners over problems, if the response they get from staff to the same problem is less than helpful. The task of both senior prison management and the committees is to be vigilant about this. In terms of social control, the committees do keep a lid on things in the prison. The fact that prison regimes increasingly rely on the granting or withdrawal of 'privileges' to control prisoners behaviour, increasingly implicates committees as they provide some of the social and recreational activities which can be withdrawn by management.

*Does a committee defuse prisoner complaints in a way that benefits the prison more than prisoners?*

No. Having a formal process for dealing with women's complaints through the committee does improve the lot of women inside. After all when things aren't going right in a prison, it is the women who bear the brunt of it. However it is important that the documentation of complaints in committee minutes is not information that stays in-house. My recommendation that the minutes be circulated amongst prison head offices and policy and accountability bodies, as well as the production of a Committee Annual Report would ensure that this information and its significance and history is not lost.

*Are committees used to collect women's views and facilitate a collective voice when external policy changes are up for review?*

There was evidence that the committees were used in this way, although it seemed to be ad hoc and on occasion appeared to be more about a process of consultation than a real commitment to it. In each jurisdiction some NGOs did keep committees abreast of policy changes and new ideas and sought to incorporate their views into changes proposed by government and/or initiated by NGOs.

*How those of us on the outside could work with these committees to effect change inside prison as well as work for alternatives to prison on the outside?*

The committees hold great potential for informing the work of NGOs on the outside. Strengthening connection between the outside and the inside can great practical bridges and forums for social change. The recommendation that outside groups provide training for committees would skill the committees in their work and create

benefits for women on release in negotiating the outside world. The life experiences and insight that women inside possess about their own journey to prison and the systemic changes that could have altered this, is knowledge that should inform the work of NGOs. The collective voice provided by the committee is a safe and significant avenue for its expression.

Overall the committees were found to be an effective voice for women both inside the prison and to external government and non-government bodies. The involvement of external bodies with the committees should be encouraged and facilitated. They were seen to be vital to bodies that performed ombudsman/inspector roles in monitoring complaints and trends in prison.

Women inside viewed committees as essential, prison management had the same view. They were seen as an efficient way of making and resolving complaints, effective as avenues of communication and were useful in certain security activities. They did result in committees doing some of the work of staff. The more effective in this work that the committees were, the more women went to the committee rather than to staff which prison management identified as a problem.

Women on the committees trod a fine line in their role of keeping a lid on things and policing other women. There was little anecdotal evidence of women abusing their positions on committees, however if this did happen women and staff agreed that the woman would be voted off when elections came around.

The committees were required by prison regulation to exist in each prison and these regulations prescribed procedures for the establishment of committees, voting, meeting times, access of the committee to their constituency, pay rates for committee members and the role of the committees. There was no formal training for committees, which reduced their effectiveness. It is recommended that this training be done by outside NGOs.

To ensure that the committees did exist in each prison and functioned properly it is necessary that they form part of a prisons performance appraisal and are subject to external accountability assessments.

#### **4.4 Key Recommendations**

Legislation and subordinate regulation must mandate the committee's existence.

The existence or nonexistence of the committee must be a performance indicator in external prison audits and accountability assessments.

That the committee's role be described as facilitating a representative voice, allowing the establishment of subcommittees to take on other functions such as recreation.

Mandate a monthly meeting between the committee and management.

Minutes of these meetings include reasons for rejecting prisoner requests be circulated amongst the population.

Mandate the level of resources, including staff and training for committee members.

Mandate that chairs are paid positions and depending on the size of the institution other members of the committee are paid positions, at a pay rate in line with other prison work.

Mandate that non-paid committee members can attend committee meetings in their paid prison work time and still be paid.

Mandate that all women regardless of their security rating can vote.

Mandate that maximum-security women and segregation have a representative on the committee.

Mandate the free movement of the chair within the institution.

Mandate that elections are held one month prior to the committee's end of term.

Mandate a staff training module on prisoner committees.

If a woman is deemed not suitable to run for election or is removed that she be given written reasons for this.

Permit the committee to have external representatives to resource and meet with them as a committee as well as to attend joint management meetings and the women's request.

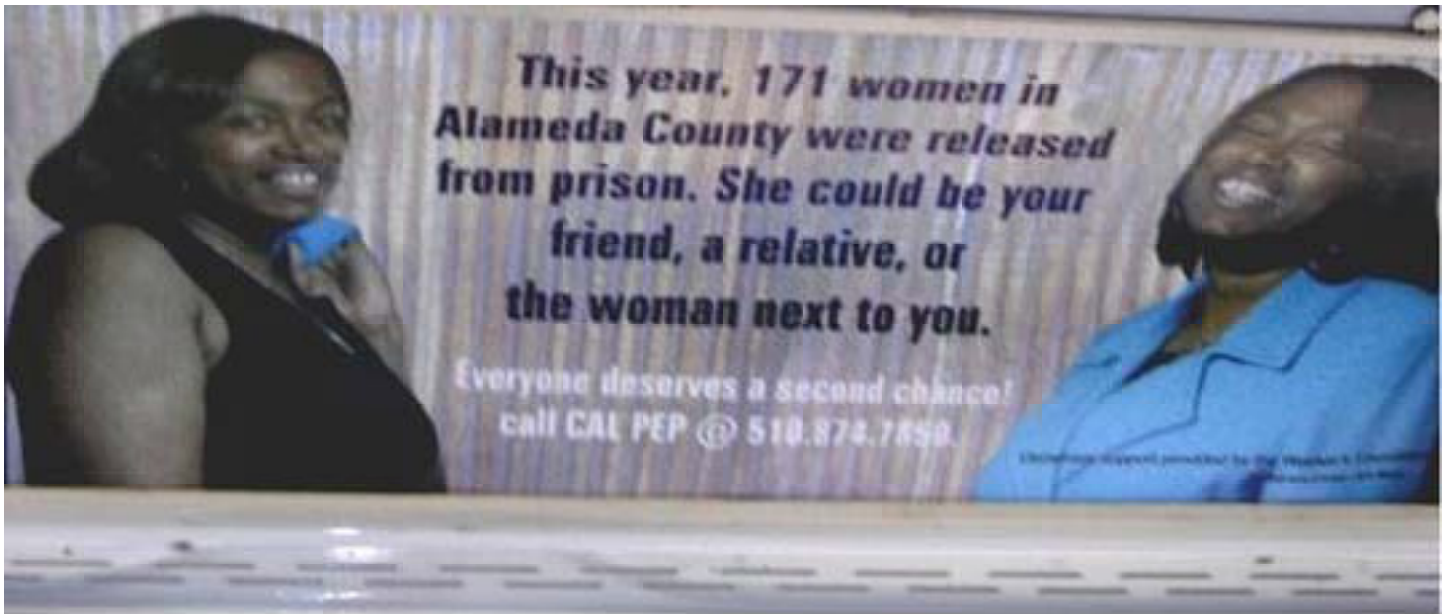
Mandate that committees be provided with a prison rule manual and its updates.

Mandate that external prison policy development bodies consult with committees.

Permit large population meetings between the committee and the constituency without prison staff being present.

Mandate that external policy and accountability bodies and women's policy divisions of corrections head office be sent minutes of committee meetings with management.

Require the production of an Annual Report of the committee's work for the committee's constituency and external accountability bodies.



Bus sign California



Valley State Prison for Women, Chowchilla, California. The largest prison for women in the world.



## Appendix One

# VALLEY STATE PRISON FOR WOMEN CHOWCHILLA, CALIFORNIA

## CONSTITUTION AND BY-LAWS OF THE WOMEN'S ADVISORY COUNCIL



### ARTICLE 1: NAME

The name of this Inmate Advisory Council shall be WOMEN'S ADVISORY COUNCIL hereinafter referred to as "WAC".

### ARTICLE 2: PURPOSE AND OBJECTIVE

Pursuant to Section 53120 of the Department Operations Manual (DOM), WAC serves a dual purpose, both of equal importance:

The first purpose is to provide inmates of the institution with representation and a voice in administrative deliberations and decisions affecting the welfare and best interest of all inmates.

The second purpose is to provide the Warden and his/her Administrative Staff a vehicle to communicate administrative actions and the reasons for the same with the general inmate population.

In this advisory capacity to the Warden and Administrative Staff, no administrative responsibilities are to be implied or assumed by WAC.

### ARTICLE 3: MEMBERSHIP

Eligibility for nomination, election and retention as a member of WAC shall be limited only to the inmate's ability to effectively function in that capacity.

### ARTICLE 4: OFFICERS

- A. Executive Council President/Chairperson
- B. Executive Council Vice President/Vice Chairperson
- C. Executive Council Secretary
- D. Sergeant at Arms

Their duty elected term shall be for two years. Pursuant to DOM, Section 53120.15, the Executive officers will be elected by the members of the General Council of Facility Members. When possible the WAC Executive Body shall be ethnically comprised in ratio reasonably equal to the institution's ethnic balance.



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BY-LAWS

SECTION 1: MEMBERSHIP

- 1.1 Membership of the WAC shall be comprised of all inmates in the general population, except those inmates housed in Administrative Segregation (Ad-Seg), Security Housing Unit (SHU), unclassified inmates and those in Reception Centers.
- 1.2 Representation will be provided for all ethnic segments of the general inmate population.
  - A. For purposes of clarification, the Department of Corrections recognizes the following racial/ethnic status:
    - 1) White
    - 2) Black
    - 3) Hispanic
    - 4) Other
- 1.3 Membership of the WAC shall be structured as follows:
  - A. Executive Council
  - B. Facility Council
- 1.3.1 Executive Council are as follows:
  - A. Executive Council President/Chairperson
  - B. Executive Council Vice President/Vice Chairperson
  - C. Executive Council Secretary
  - D. Sergeant at Arms
- 1.3.2 Facility Council are as follows:
  - A. White (one representative from each yard)
  - B. Black (one representative from each yard)
  - C. Hispanic (one representative from each yard)
  - D. Other (one representative from each yard)

The yards of representation referred to herein shall be yards B, C, and D. Facility A is a Reception Center and will not have facility representatives.

- 1.4 Pursuant to Section 53120.15 of the DOM, in addition to these two major organizational units, there may be subcommittees to deal with special areas of concern. Please refer to Section 7 of these By-Laws.

## SECTION 2: NOMINATIONS

### 2.1 Executive Council

- A. The Executive Council will be comprised of the four officers listed heretofore in Article 4 of the Constitution and Section 1.3.1 of these By-Laws.
- B. Pursuant to DOM, Section 53120.15, Executive Officers will be nominated by the members of the General Council of Facility Members.
  1. Members need not be present to have their names placed in nomination if prior consent has been obtained.

### 2.2 Facility Council

- A. Candidates must meet all eligibility requirements as set forth in Article 3 of the Constitution.
- B. Candidates may voluntarily run for election or be nominated by members of the ethnic group which they will represent.
- C. Candidates will be nominated for a vacancy only on their respective yard.
- D. Currently elected WAC Facility Council members may run for reelection at the expiration of their regular term.

### 2.3 General Requirements

- A. All nominations will be submitted in writing at least three weeks prior to the date set by staff for the election.
- B. All nominations shall be accepted or declined at the time of nomination.
- C. A nomination sheet will be posted in all units on the respective yard(s). The nomination sheet will specify the position or positions, by ethnicity, which are available, the eligibility requirements, election date and time. An Inmate Request Form will be submitted to the WAC Staff Sponsor and the WAC Executive Council President notifying them of the nominee with the following information:
  1. Nominee Name
  2. CDC Number
  3. Housing Assignment
  4. Ethnicity
  5. Earliest Possible Release Date

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**SECTION 3: ELECTIONS**

**3.1 Executive Council**

- A. Pursuant to DOM, Section 53120.15, four (4) Executive Council Officers will be elected by members of the General Council of Facility Members.
- 1) Secret ballots will be utilized for voting purposes.
  - 2) Ballots will be tabulated in the presence of Coordinator or his/her designate Supervising Staff.
  - 3) Proxy vote will be honored for tabulation for those inmates on family visits, priority ducats or otherwise absent for legitimate reasons.
  - 4) A written Proxy must be presented to the WAC Council prior to the vote being taken.
  - 5) A simple majority of those voting is required to elect an Executive Officer.
  - 6) In the case of a tie, a re-vote shall be conducted.
  - 7) The Executive Council will consist of no more than four (4) total.
- B. Any Executive Council member may run for re-election at the expiration of her two (2) year term.

**3.2 Facility Council**

- A. Elections of Facility Council representatives will be conducted one week after the close of nominations by secret ballot on the yard where the vacancy exists. Their duty elected term shall be for two (2) years.
- B. All elections will be monitored by appropriate staff representatives and the WAC Executive President or her designee.
- C. All ballots will be issued, completed and returned during the specific period set aside for the election process. Only those ballots issued, completed and returned during this specific period will be honored for tabulation except for absentee ballots. Absentee ballots will be accepted for those inmates on their work assignment, family visits, priority ducats or otherwise absent for legitimate reasons and unable to attend. Inmates housed in Ad-Seg/SHU are not eligible to vote.
- D. All ballots will be collected and tabulated by the WAC Executive President or her designee in the presence of Coordinator or his/her designated Supervisory Staff.
- E. The results of such tabulation shall be documented and recorded as a permanent record in the WAC Office.
- F. The results of the election shall be made available to the Warden, WAC Staff Sponsor and general inmate population as soon as possible and no later than one week after the election.
- G. Ballots shall be forwarded to the WAC Staff Sponsor and retained for a period of no less than 30 days, for review, in the event a recount is required or any alleged

irregularities are to be investigated.

- H. Elections will be set for January for any Facility Council positions which expire at the end of the regularly appointed 24 month period.

#### **SECTION 4: METHOD OF FILLING VACANCIES**

- 4.1 When vacancies of the WAC positions occur as a result of parole, transfer, administrative order, removal from office, resignation, or other reason, the WAC Executive President or her designee will initiate the nomination and election procedures as set forth herein, as soon as possible, but no later than two weeks after the vacancy occurs.
- 4.2 When appropriate, the WAC Staff Sponsor may select a temporary replacement pending regularly scheduled elections. The term of office for this temporary representative shall not exceed 30 days.
- 4.3 If this vacancy occurs prior to the normal expiration date of a specific member, the newly elected replacement member will fulfill the term of the member they are replacing.

#### **SECTION 5: DUTIES OF OFFICERS/MEMBERS**

##### **5.1 Executive President/Chairperson**

- A. Shall ensure that WAC complies at all times with the Constitution and By-Laws.
- B. Shall preside over all WAC meetings or appoint a designee to do so.
- C. Shall appoint various subcommittee members and designate a chairperson for each of those subcommittees.
- D. Shall approve all WAC correspondence, minutes, bulletins and proposals prior to submission to appropriate staff and/or fellow inmates.
- E. Shall preside over facility elections or appoint a designee to do so.
- F. Shall meet with any and all appropriate staff and represent WAC in any and all meetings with the Warden.
- G. Shall maintain a high standard of conduct.

##### **5.2 Executive Vice President/Vice Chairperson**

- A. Shall perform duties of Executive President in her absence.
- B. Shall coordinate the functions of the subcommittees.
- C. Shall act in the position of liaison with Facility Council members when necessary.
- D. Shall attend all meetings deemed appropriate by the Executive President.
- E. Shall maintain a high standard of conduct.

##### **5.3 Executive Council Secretary**

- A. Shall attend any meetings which are deemed appropriate by the Executive President.
- B. Shall record the minutes of any and all meetings deemed appropriate by the Executive President.

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- C. Shall prepare typewritten copies of all agendas and meeting minutes and furnish same to the Executive President for review and submission where necessary.
- D. Shall distribute approved minutes, agendas, proposals and correspondence to the appropriate parties.
- E. Shall maintain up-to-date rosters of all members, officers and subcommittee members.
- F. Shall maintain all WAC files.
- G. Shall maintain copies of policy memorandums and DOM manual revisions.
- H. Shall maintain a clean and orderly WAC office.
- I. Shall maintain all required office related materials and supplies.
- J. Shall perform other clerical duties as deemed appropriate by the Executive President or WAC Staff Sponsor.
- K. Shall Maintain a high standard of conduct.

5.4 Sergeant At Arms

- A. Shall be responsible for supplies and the submission of requests through appropriate supervisory staff.
- B. Shall keep order in all meetings.
- C. Shall call attendance at all meetings.
- D. Shall arrange meeting rooms, necessary materials and facilitate the cleaning of those facilities before and after meetings.
- E. Shall assist the Executive Council as necessary.
- F. Shall maintain a high standard of conduct.

5.5 Facility Council Members

- A. Shall attend all general WAC meetings. Two consecutive unexcused absences or four cumulative unexcused absences shall be grounds for consideration of a vote for dismissal.
- B. Shall communicate all current WAC business to inmates either verbally or by ensuring that WAC information is posted in the respective housing units.
- C. Shall accept assignment to one subcommittee that best suits her capabilities and desires.
- D. Shall assist ANY inmate.
- E. Shall communicate inmate concerns to appropriate staff and seek assistance of WAC officers when needed.
- F. Shall attend required meetings with individual Facility Captain on the individual yards.
- G. Shall endeavor to become as well informed as possible with regard to the contents of the DOM, institutional policy and Title 15 in order to facilitate the needs of the inmates in the institution.
- H. Shall endeavor to the best of her ability to set aside personal opinions and personal issues when addressing inmate concerns.
- I. Shall Maintain a high standard of conduct.

## SECTION 6: MEETINGS

### 6.1 Executive Council and Warden

- A. Pursuant to DOM, Section 53120.11, the Warden is urged to meet personally with the designated members of the Executive Council each month to discuss non-emergency issues which have not been resolved at a lower level with other staff.
- B. Agenda items for the regularly scheduled meetings with the Warden will be submitted at least two weeks in advance of the scheduled meeting together with a summary of all the WAC efforts at a lower level for review of each agenda item.
- C. Submission of formal agendas in advance of emergency meetings approved by the Warden will not be required.

### 6.2 Executive Council Independently

- A. The Executive Council may schedule regular meetings with WAC Staff Sponsor once a month or more often if necessary.
  1. Such meetings will be separate and apart from the meetings with the Warden or his/her designee.
  2. Issues, questions, recommendations or requests resolved at this level need not be referred to the Warden except in the form of minutes for informational purposes.
  3. Agenda items for meetings with such staff will be required.
  4. Meeting is mandatory for all Executive Council members.
- B. Joint meetings of the Executive Council and Facility Councils should occur no less than once per calendar month.
  1. An agenda for this meeting will be prepared and minutes taken and distributed.
- C. Meetings of the Executive Council and other Supervisory Staff shall be conducted on an "as needed" basis.
  1. Agendas are not required but minutes will be taken.
  2. A written summary shall be used when referring any subject matter to higher levels of review or when such staff is acting on behalf of a Facility Captain.
- D. Meetings of the Executive Council and other staff, such as Department Heads, may be arranged on an "as needed" basis to resolve issues or questions relating to specific institutional areas or activities. These meetings will be coordinated through the staff sponsor.
  1. Agenda and minutes are required.

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6.3 Facility Councils

- A. Meetings of the individual Facility Councils should be held on a weekly basis to address issues regarding that yard or for discussion of institution-wide issues.
  - 1. Minutes will be taken. From those minutes agenda items will be furnished to the Executive Council Secretary no later than one week prior to the scheduled joint Executive/Facility Council meeting for inclusion on the agenda.
  - 2. Any issues of an emergency nature will be forwarded directly to the Executive Council President and WAC Staff Sponsor for presentation to the appropriate authority.
  - 3. All meetings will be provided with at least cursory staff supervision.
- B. Meetings of the individual Facility Councils and the Facility Captain of their individual yards are encouraged on a regular basis for resolution of issues isolated to that particular yard.
  - 1. Any individual yard issue not resolved at this level shall be forwarded to the Executive Council for further action.
  - 2. Minutes of this meeting will be taken and a copy forwarded to the Executive Council Secretary.

SECTION 7: COMMITTEES

- 7.1 The Executive Council and Facility Councils of WAC shall select and appoint capable inmates to establish and maintain the following committees to meet with Department Heads and other Staff.
- A. Food Services, Canteen and Laundry Committee
  - B. Medical/Dental Committee
  - C. Mail Room/Visiting Committee
  - D. Library/Law Library/Recreation Committee
  - E. Receiving & Release/Property Committee
  - F. Special Services/Fundraising Committee
- 1. One member of each committee will be selected as the committee chairperson and will interact with the Executive Council and give reports of committee activities at the joint Executive Council/Facility Council meetings.
  - 2. Meetings with these committees and Department Heads are encouraged to be scheduled on a regular basis

3. Such regular meetings, general committee meetings or meetings held on an "as needed" basis will be coordinated by the Department Head and Committee Chair.
4. Dates, times, and locations of those meetings will be furnished to all committee members and the Executive President.
5. Minutes will be taken and copies furnished to the appropriate Department Head and to the Executive Secretary.
6. It shall be the responsibility of each of the committee members to become aware of the current written policy relating to that committee's purpose (i.e. DOM, Institutional policy, etc).

#### **SECTION 8: PARLIAMENTARY AUTHORITY**

- 8.1 Robert's Rules of Order shall be the authority for all parliamentary procedures. A copy of Robert's Rules of Order will be kept in the WAC office.

#### **SECTION 9: EXECUTIVE COUNCIL**

- 9.1 The Executive Council will be comprised of those officers listed in Article 4 of the Constitution and Section 1.3.1 of these By-Laws. Nomination, Election and Term of Office as outlined in 2.1 and 3.1 of the By-Laws shall govern these offices. Pursuant to Section 53120.15 of the DOM, the Executive Council will be elected by the members of the Facility Council. Any Executive Council member may run for reelection at the expiration of her regular term.

#### **SECTION 10: ACTIVITY CARDS**

- 10.1 All Executive Council and Facility Council members must be in possession of their WAC Activity Cards while performing the duties and responsibilities of their office.

The following information will be on the face of each WAC Activity Card:

1. Inmate Photograph
2. Inmate Name
3. Inmate CDC Number
4. Inmate Housing Assignment
5. Inmate Position Held

Applicable information concerning mobility and access shall be typewritten on the back of each Activity Card with the appropriate signatures affixed.

Mobility and access by WAC Executive Council or Facility Council members outlined in the representative sections below, are a privilege, which, if abused, will result in disciplinary action including, but not limited to confiscation of activity card by 2/3 vote of the WAC Executive Council.



### 10.2 Executive Council

- A. Signatory Authority: WAC Activity Cards for the Executive Council shall be executed, on the face of the card, by the WAC Staff Sponsor and Warden.
- B. Mobility and access by the Executive Council Members is outlined below:
  - 1. Access to WAC Offices.
  - 2. Access to the individual yard Program Services Office with proper approval from a supervisory staff on the facility.
  - 3. Access to photocopy machines with prior approval.
  - 4. Access to an institutional telephone (inside line only) with prior WAC staff sponsor approval.
  - 5. Access to all yards and housing units on those yards for the purpose of conducting WAC business with the approval of the appropriate staff involved.

### 10.3 Facility Councils

- A. Signatory Authority: WAC Activity Cards for the Facility Council members shall be executed, on the face of the card, by the WAC Staff Sponsor and Facility Captain of their respective yards.
- B. Mobility and access by the Facility Council members is outlined below:
  - 1. Access to the WAC offices.
  - 2. Access to the facility office on their respective yard with proper approval from supervisory staff on the facility.
  - 3. Access to all housing units on the appropriate yard for the purpose of conducting WAC business.

## SECTION II: REMOVAL OF MEMBERS

- A. Pursuant to DOM, Section 53120.13, the Warden may suspend the membership of any individual WAC members when there is reason to believe the individuals actions presents a threat to institutional security, the safety of persons, or is counter productive to the best interests and welfare of the general inmate population.
- B. Administrative Order
  - 1. One (1) CDC 115 conviction (serious only)
  - 2. Behavior resulting in D.A. referral
  - 3. Placement in Ad-Seg for a period of over two weeks
  - 4. An accumulation of disciplinaries (Administrative), case by case review.
- C. Resignation
- D. Failure to perform duties
- E. Impeachment

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1. Removal from office will be mandated upon a two-thirds majority vote in favor of removal of the respective yards for Facility Council members and a two-thirds majority vote of the entire body of the Facility Council/Executive Council combined for member of the Executive Council.
2. Impeachment proceedings shall be conducted in the presence of designated staff as appropriate.
3. Inmates removed from office as a result of impeachment proceedings will be unable to participate in the WAC for a period of no less than one year.

F. Approval of the Warden

**SECTION 12: AMENDMENTS**


Amendments to the Constitution and/or By-Laws shall be voted on by Facility Council members. A 2/3 vote will be required to pass revisions. Proposed changes will then be submitted for Administrative Staff review. All revisions require final approval of the Warden. Notice of proposed revisions shall be posted in each housing unit two (2) weeks prior to Facility Council vote.

**SECTION 13: ACCOMMODATIONS**

Pursuant to DOM, Section 53120.9 and the Title 15, Article 3230(g)(1)(A-E), each Warden shall provide adequate facilities, equipment and supplies to WAC to carry out its approved activities.

The Women's Advisory Council shall be provided with the following:

1. Office space and furniture
2. Access to a typewriter and duplicating equipment
3. Office supplies and stationery
4. Wall space/bulletin board provided in locations frequented by inmates
5. Copies of the Notice of Change to Directors Rule, Administrative Bulletins and other non confidential directives and amendments which concern the inmate population.

  
GLORIA A. HENRY, WARDEN (S)  
VALLEY STATE PRISON FOR WOMEN

DATE: *January 7, 2002*

# Appendix Two



STANDING ORDER

ORDRE PERMANENT

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## INMATE COMMITTEE

## COMITÉ DES DÉTENUÉS

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### POLICY OBJECTIVE

1. To provide appropriate, and effective communication between management and inmates.

### AUTHORITY

2. CCRA paragrah 74

### CROSS REFERENCE

3. CD 860 Inmate Money  
CD 768 Institutional Mother-Child Program,  
Section 66

### ROLE

4. As the recognized representatives of the inmate population, the Inmate Committee shall act in accordance with the best interests of the population.

### RESPONSIBILITY

5. The Program Coordinator shall oversee the general operation of the Inmate Committee by providing advisory and liaison services for the group. In this role, the Program Coordinator will facilitate the group's functioning in an effective and efficient manner.



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**CONSTITUTION**

- 6. The Inmate Committee shall operate under a Constitution agreed upon by the committee and management.

**MEMBERSHIP AND ELECTION**

**STRUCTURE**

- 7. The Inmate Committee shall consist of one elected member from each House, including the SLE, elected by the residents of each House/Unit.

Selection for chairperson of the Inmate Committee will be as follows:

- a. a notice of election will be announced following the resignation or removal of the current Inmate Committee Chairperson;
- b. nominations will be accepted by the Leisure Monitor for two (2) days after the notice of election is made;
- c. any resident in general population may be nominated for the position of Chairperson provided they meet the criteria for suitability;
- d. if two or more residents are nominated for Chairperson, an election by secret ballot shall be conducted within the inmate general population or Secure Unit population normally by the Leisure Monitor during the formal count at 1700 hours;
- e. if only one resident is nominated for Chairperson, that person will be elected by acclamation.



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8. All inmate representatives shall receive approval by the Warden prior to the appointment and may be removed by the Warden if they fail to continue to meet the criteria outlined in Section 7(a-e).
9. A candidate shall be assessed as suitable if:
  - a. she has been in population for at least three (3) months;
  - b. she is following her Correctional Plan as outlined by her Case Management Team;
  - c. she has not been found guilty of a serious offence for at least three months;
  - d. she has the ability to interact and communicate effectively with others using skills of diplomacy and problem solving appropriately;
  - e. she has leadership ability and organizational skills.
10. The Inmate Committee Chairperson shall be a part-time paid position. House representative positions will be unpaid positions.
11. The Inmate Committee will meet as a group on a regular basis in consultation and with the approval of the Program Coordinator.
12. The Inmate Committee will meet with the Nova Management Team on a monthly basis.



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**MINUTES OF MEETINGS**

13. The Inmate committee shall be responsible for preparing and distributing minutes of meetings. The minutes will be distributed to the House Representatives and the Nova Management Team members.

**MOVEMENT OF THE INMATE COMMITTEE**

14. The Committee shall move throughout the Institution in accordance with normal inmate movement. They may be authorized special access, if required, with permission of the Reintegration Operational Supervisor.
15. The Inmate Committee may meet with the Citizens Advisory Committee on an as needed basis at the discretion of the Citizens Advisory Committee.
16. Upon request of an inmate housed in Segregation, the Chairperson shall, if necessary, have access for a period each day to the segregated inmates.

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17. The Chairperson of the Inmate Committee may visit the Administrative Segregation Unit for the purpose of meeting with medium / minimum-security inmates who have, in writing, requested to see the Chairperson. The visits shall normally take place with the segregated inmate locked in her cell and the visiting inmate remaining outside the cell door under staff supervision. The duration of each visit should normally not exceed 15 minutes. If time permits, discretion is to be used. The visits may be scheduled on Monday, Wednesday and Friday evenings between 1800 and 1900 hours. Visits by the Chairperson may be arranged on unscheduled days if operationally possible. This should be coordinated through the duty ROS and unit staff.

**OFFICE SPACE**

18. Pending availability, the Inmate Committee will be authorized scheduled use of a room in the main institution and shall be provided with a filing cabinet for storage purposes.

**INMATE COMMITTEE WELFARE FUND**

19. The Program Coordinator, or delegate, and the Chairperson, or delegate, of the Inmate Committee shall jointly hold the authority for expenditures from the Welfare Fund.



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### REMOVAL OF COMMITTEE MEMBERS

20. Any member may be removed from the Inmate Committee at the discretion of the Warden if they fail to continue to meet the criteria as outlined in Section 7 (a-e) The member being dismissed will be advised of the removal in person and/or in writing and be provided with the reasons for the removal.

### HOUSE AND SLE REPRESENTATIVES

21. It shall be the responsibility of the Program Coordinator to encourage each House and SLE to have elected committee representatives and that these representatives meet the candidate suitability criteria. When there is only one qualified candidate, she shall be considered elected by acclamation.



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**POD REPS - SECURE UNIT**

22. The Secure Unit Inmate Committee will operate separately from Main Institutional Inmate Committee. The Committee will consist of two Pod representatives to be eligible for election as Inmate Pod representative, and to maintain this membership, an inmate shall:

- a. Have served a minimum of three month in Nova Institution;
- b. Not have exhibited behaviour that jeopardizes the safety and security of the Institution;
- c. Be an individual who is considered able to carry out her duties in a capable and responsible manner and election to office will not adversely affect her Correctional Plan.

An inmate transferred to the Secure Unit from the Main Institution, who was involved in the Inmate Committee, will forfeit her duties as an Inmate Committee representative

Warden,

*Original Signed By*

Gisele Smith

## Appendix Three

Inmate Committee Meeting  
Grand Valley Institution for Women  
August 25, 2004

**In Attendance:**

Joanna Pauline  
Mark Christie  
Jim Patterson  
Angie Vankoughnett  
Barry McGinnis  
Brenda Armstrong  
Stephanie Chandler  
Christine Hersey

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
Art Laws

### New Agenda Items

1. Upon release from Segregation, one of the women was moved from her living unit from which she was also employed as House Cook. Currently she is residing in LU #7.

**ACTION:** Joanna supported an assignment as House Cook within LU#7 on an interim basis. To be discussed at Program Board on Thursday Aug 26th.

2. To prevent further injuries, it was requested that a mask and helmets be purchased for baseball.

**ACTION:** As this falls under the Social Development responsibility and budget Angie requested the Inmate Committee submit a proposal for consideration.

3. The Committee has requested advance notice should a no-smoking policy be put into effect.

Joanna appreciated [REDACTED] proactive approach and agreed that the population needs to be advised as soon as National Policy is in place.

4. The population is requesting advance notification of UTA/ETA pass completion or cancellation.

**ACTION:** Mark to notify the PW's/ATL's to request the women be advised of pass completion and/or cancellation.

5. The women would like to know why if there is a "push" for the women to apply for transfer to IMH why it is taking so long for a decision to be made.

The Committee was advised that each specific case is dealt with individually. They were also advised that there has been a decision with respect to the 1 individual in question.

6. The women would like to work toward becoming licensed in a particular trade.

Joanna advised that this is our mandate and we are working toward this.

Mark advised that this is the initiative of EEP.

Barry advised that with respect to Food Services, a kitchen was not provided at the time of building the institution.

██████████ advised that the Beauty Parlor is offering credits and not a license. She stated there is a difference between offering certification and offering a license.

**ACTION:** Joanna to speak with Crystal.

7. The Committee requested an update on the computers designated for inmate use after hours.

**ACTION:** Angie committed to having a schedule regarding access and printing by the next meeting.

The Committee pointed out a conflict with using the identified space/room for the computers when it was previously approved for the use of card games when other designated areas were in use.

The location will be revisited.

8. The women returning as TD's want to meet with their PO's upon their return.

It was explained that the PO's do intakes and since intakes are not done on returnees they is no requirement to meet. Returnees will meet with their PW's.

9. The women would like to meet one on one with their PW's on a monthly basis. This should be occurring as all PW's are required to complete a monthly Casework Record entry on their progress.

10. The Committee asked about the status of the Work Release to the Humane Society.

Mark advised that the reports are in the quality control stage and final approval has not been done yet.

11. The women would like to be provided with a list of contacts outlining what department is responsible for what repairs.

Jim advised there is some confusion around this.

Ray has asked to have a work request form completed to allow for prioritizing and scheduling.

The committee suggested creating employment opportunities for the women to repair and maintain for the maintenance and stores departments.

The issue of access to tools and control was raised.

Joanna acknowledged tool control needs to be strengthened which will facilitate the Inmates completing their employment responsibilities.

Some repairs require the person to have a ticket.

**ACTION:** Barry will develop a list of who is responsible for what repairs. Christine will present the creation of employment positions of this nature to Program Board for discussion.

## ROUNDTABLE

### **Jim Patterson -**

- The 1 shot laundry soap dispensers have been repaired.
- Institutional/CSC property is being disposed of in the garbage. [REDACTED] advised she sent a memo to the population to address this.
- Broken appliances cannot be repaired immediately. As in the community a repair shop needs to be contacted and an appointment made.
- Request forms need to be utilized to access stores. Jim will no longer continue to respond to questions when he is approached in the loggia or outside.
- Institutional supplies i.e. Hygiene and cleaning supplies are being stock piled and being taken from the storage rooms and cleaning closets. Brandi advised she sent a memo to the population to address this.

**ACTION:** Mark to send a memo to the SLE to address stock piling of supplies.

- It was requested that the women use the hygiene supplies for their intended use and make use of canteen or outside shopping for their needs. It was suggested that a 6 month review of the canteen list. Barry requested the list be sent to him for pricing.

NEXT MEETING Tentatively scheduled for Wednesday September 29th, 2004.

\_\_\_\_\_  
[REDACTED]  
Inmate Committee Chair

\_\_\_\_\_  
Team Leader in Attendance

\_\_\_\_\_  
Joanna Pauline  
Deputy Warden

or

\_\_\_\_\_  
Karen Smith Black  
Warden

## Appendix Four

### Methodology

In undertaking this Fellowship, I wrote to the principal government department responsible for prisons in the jurisdictions which I wished to visit, seeking their permission for me to undertake this project and also asking for their written policies and procedures on committees.

Prisons quite properly, have extremely stringent requirements for the undertaking of research within them. The ethical considerations of doing research on humans who are held against their will are complex. High levels of research do go on inside prisons, precisely because they hold a captive population of intense medical, behavioral and sociological interest.

Most people in prison that I have had contact with, do not get to see the results of the research done on them.

I was only required to submit an ethics proposal in South Africa. In California and Canada it was agreed that my work was not research on women, rather it was fact finding around a prison procedural requirement.

Having received initial approval from government, I then wrote to the wardens/governors/general managers of the prisons I wished to visit seeking permission to meet alone with women and staff. Once this approval was given I again wrote to them enclosing letters to be given to women and staff outlining what I was doing and requesting from them, permission to meet with them. These letters were passed on by management.

When I visited the prisons I met alone with various levels of management and staff and met alone with women on committees. In some prisons I was permitted to sit alone with women in maximum-security/segregation, in others a staff member was present for 'my safety'. In some prisons I met with management and women in the company of NGOs. Some meetings occurred in the body of the prison, some in visit rooms.

I took handwritten notes throughout as recording devices are usually prohibited in prisons. I also believe that recording devices inhibit discussion. The use of recording devices by law enforcement authorities also means that they are treated with suspicion. Some committees gave me written answers they had prepared to the questions I had asked them to address in the letters I had sent to them. One had a prepared folder of their minutes over time, constitution and other documents. Others showed or gave me their minutes.

Inmate Committee  
Edmonton Institution for Women  
11151 178th Street  
Edmonton, Alberta  
T5S 2H9  
CANADA

4 November 2004

Dear Women,

Re: Request to meet with your committee on 15/16 December.

I am an Australian lawyer who the last 20 years has been working with women in prison. I am from the non-government sector.

I have received a Churchill Fellowship to look into the operation of Inmate Committees in women's prisons in California, Canada and South Africa. These committees are not required in Australian women's prisons.

I would very much like the opportunity to meet with you as a group and/or individually to speak about the operation, purpose and your experience of inmate committees. Ms xxxxx has approved my visit.

The report I eventually write will not identify individuals, and I will maintain strict confidentiality. I will also be speaking with prison management who are involved with the committees.

Over the page is a list of issues that I would like to speak with you about. Any other suggestions you have, would be most welcome.

I appreciate that women in prison provide much information and advice to people doing research for very little in return. I will be more than happy to send a copy of my report to your committee when it is finalized. The information I gather will be used to create discussion in Australia about the possible implementation of inmate committees here.

I very much look forward to meeting with you all.

Yours sincerely,

Amanda George

## Issues for discussion:

### *The nuts and bolts of committees.*

Who is on them, how you get on, how often it meets, is an agenda distributed, are minutes taken, decision making processes, how is consultation done with women not on the committee, who can't be on the committee?

### *Subject matter of meetings:*

How does something come before a committee, do the same things come up all the time, what issues have been resolved by the committee, what hasn't been, does management come to the committee with policy/procedure ideas or changes?

### *What purpose do committees serve?*

For the prison population, for individual women on the committee, for prison management?

### *What impact do inmate committees have?*

Have they brought about any changes, to what? Do the committees meet with any external bodies? Does their existence have an impact apart from their formal role?

### *And:*

What resources are needed?

Do prisoners/management have criticisms of committees?

Why be involved in a committee? What skills do you need? Do you learn any?

Have you been in a prison, where there is no committee? Does it make a difference?

What helps/hinders committees?

Are there any changes that would improve them?