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A Literature Review on Access to Education for the Remand and Incarcerated Population in Ontario

*Remand, or pre-trial detention, refers to the temporary detention of accused persons in provincial or territorial custody prior to trial or a finding of guilt (Correctional Services Program, 2017).

Report Prepared for the Ontario Council on Articulation and Transfer

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Table of Contents

Executive Summary	3
Introduction, Background, and Objectives.....	7
Primary Research Scope	8
Who are the Remand Population?	9
Why the Focus on Access to Education?	9
The Rise in the Remand Population: Remand Population Outnumbering Sentenced Offenders..	11
Consequences of Being Remanded into Custody.....	16
Lack of Access to Education is Part of a Larger Systemic Racism.....	18
The Right to Education for the Remand Population- From Lack of Recognition to Inconsistency and Ineffectiveness in Implementation.....	24
Accessing Education while Federally Incarcerated: Overview from Intake Assessment to Program Placement.....	27
Organizations Offering Education Program within Facilities in Ontario.....	32
Amadeusz.....	33
Walls to Bridges (W2B)	37
Ontario Organizations Offering Programs to Incarcerated Individuals Post-Release.....	40
Learning Lessons from Models and Programs in the United States: The Laughing Gull Foundation.....	42
Concerns, Findings, and Recommendations.....	47
Summary and Conclusion- Where Do We Go From Here?.....	51
References.....	53



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Executive Summary

Although many people perceive those incarcerated from a deficit lens (Portelli & Sharma, 2014), often blaming them for their circumstances, it is important to emphasize that majority of people incarcerated in Ontario, and on a larger scale in Canada, are part of the remand population, meaning they are legally innocent and temporarily incarcerated as part of pre-trial detention (Correctional Services Program, 2017). It is important to ensure those who are incarcerated have access to education which is their human right as outlined in Article 26 of the United Nations Universal Declaration of Human Rights. Currently, this is not the case in Ontario as access to education is not treated as a priority often lacking resources and funding and instead punitive measures such as lockdowns and solitary confinement are used as common practices to manage day to day realities and escalating situations within prisons and jails (Office of the Auditor General of Ontario, 2019; Sapers et al., 2018). These practices are reactive in their approach and often have harmful short and long-term impacts on those incarcerated. More importantly, these practices do not align with the long-term goal of rehabilitation and promotion of effective reintegration of those incarcerated back into the community.

Overall, this extensive report outlines how access to post-secondary education for those incarcerated within Ontario and on a larger scale in Canada remains limited and an under-developed sector with minimal opportunities. Organizations such as *Amadeusz* and *Walls to Bridges* are leading the way in Ontario by creating opportunities for access to post-secondary education for those incarcerated, but they are not able to keep up with the demand for education. Access to education needs to be treated as a priority on a systemic level supported by various levels of government, with funding and resource allocation, to further support rehabilitation of those incarcerated as education is a key protective factor in reducing recidivism (Davis et al., 2013). To make this a reality, a more holistic approach is needed requiring synergetic partnerships and collaborations with organizations, non-profits, community agencies, and post-secondary organizations to drastically revamp the current system and its policies and practices at all levels.

This report builds off of many previous reports that directly and indirectly examined access to education in jails, prisons, and correctional facilities. This report specifically outlines three major concerns and findings regarding challenges and barriers to creating and accessing educational opportunities for those incarcerated. It goes beyond critique to outline suggestions and action-oriented recommendations for what can be changed, altered, or introduced and how it can be enacted to mitigate some of the challenges and barriers outlined.



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Concerns and Finding #1: There is a lack of information available to the public about education programs offered in correctional facilities, who it is used by, and its outcomes. Information that is currently available via government websites are generic in nature. Access to information is a systemic barrier that disadvantages families of those who have a member incarcerated as well as those who are released and are seeking relevant programs and services to better themselves and their living circumstances.

Recommendations: Whereas information about some programs are outlined in various reports, there needs to a tab or a central hub on Correctional Service of Canada’s website, that provides a holistic compiled list of information about the various educational programs offered, which organizations offer programs via partnerships, the scope and duration of each program, which institutions it is offered within, and criteria for participation. Collection and sharing of race-based data is also recommended by each institution in terms of who gets approved for such programs, rate of success in completion of the program, and barriers in delivery and enactment of the programs. It is highly recommended for the provincial government to also compile a list of organizations that offer relevant post-release programs and services to those incarcerated. This comprehensive list should outline the various programs available and the criteria and cost for participation in such programs and services. These recommendations will help mitigate the systemic barrier of access to information both while incarcerated and post-release.

Concerns and Finding #2: Access to education needs to be more of a priority, supported with funding and resources, to promote rehabilitation and effective reintegration back into the community. This will lead to savings for the justice system as it “costs Correctional Service Canada an average of \$111,202 annually to incarcerate one man (and twice as much to incarcerate one woman), with only \$2950 of that money spent on education per prisoner” (Chan et al., 2017, para. 16). Currently, the type of programs offered are limited, there is a lack of capacity within institutions to meet educational demands, programs offered lack quality due to restrictions imposed in how it can be delivered, and overall there is a lack of partnerships with post-secondary institutions to offer education in prison. Majority of the educational programs offered are high school diploma focused or do not take into consideration unique needs and circumstances of those incarcerated such as limited access to learning tools and platforms.

Recommendations: It is recommended to create a national funding organization, similar to the Laughing Gull Foundation in the United States which has a unique branch focusing on “Higher Education in Prison”, that annually reviews proposals for programs and partnerships to improve access to education for those incarcerated. A committee should be created with representatives from various stakeholders to assess the applications based on clear criteria outlined and communicated in advance to the public. This will allow for innovative ideas, programs, and



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partnerships to be presented, assessed, approved, and initiated to meet the demands of access to education within prisons, jails, and correctional facilities. Overall, more funding and resources needs to be allocated for education, and the government needs to provide incentives for universities to create post-secondary educational programs for those incarcerated. It is also recommended that a national list is created outlining various educational programs offered by universities and important factors such as criteria for getting in, costs, duration of the program, and how courses are delivered. The creation of a national and/or provincial government branch dedicated to “Higher Education in Prison” will centre the goal of rehabilitation, reduce long-term costs affiliated with keeping people incarcerated, and lead to more effective reintegration of those incarcerated back into the community. Such level of commitment from the government in making access to education a priority with incentives for post-secondary educations to create and maintain partnerships will lead to innovative policies and practices that will modernize how education is offered given the limitations affiliated with delivering programming in jail settings. This multi-layer collaborative approach will allow relevant non-profit and community organizations to enter innovative partnerships with post-secondary institutions to facilitate delivery of programming that is socio-culturally relevant and responsive to the needs of those incarcerated. Also, it is highly recommended that selective grants are created by the Canadian government for those incarcerated to gain further access to educational opportunities. This can have similar attributes and characteristics to the Pell Grants in the United States, but it needs to give consideration for local and national needs in Canada instead of being a copy and paste approach.

Concerns and Finding #3: There is a need to modernize policies, practices, and processes involved at various levels within jails, prisons, and correctional facilities to create more opportunities for access to quality education. This involves creating a unique intake assessment for the remand population similar for those sentenced, improving the processes involved within intake assessment for those sentenced, more effective data collection and sharing across institutions, and more resources and space allocated for educational programs. This would contribute to an increase in educational opportunities available to meet demand, increase in attendance for programs with low enrollment, and overall raise the quality and consistency of how educational programs are offered.

Recommendations: Various changes in different areas are recommended as part of modernization to improve access and quality of education for those incarcerated. These include upgrading libraries in terms of space available for teaching and learning, updating the list of books, magazines, and other educational materials available based on interests of those incarcerated, better access to computers, educational tools, and assistive-technology in a manner that is safe for conducting research and completing course assignments, and providing specific training for instructors and staff to more effectively offer educational programs. All facilities



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should be upgraded so they are enabled to use video conferencing which would lead to creation and more access to educational opportunities and course offerings. This can also be supplemented by allocating more time for trained and certified instructors and staff to engage with in-person teaching supported by the facility.

As we continue to navigate the challenges affiliated with the COVID-19 pandemic, which includes many educational programs being impacted ranging from being put on hold to adapted or offered less consistently, we must take the opportunity to reflect and ask ourselves whether the current system at various level of government and points in the justice system is prioritizing access to education to promote and reinforce the long-term goal of rehabilitation for those incarcerated. This report outlines why the current system is inequitable and unjust, how systemic barriers impact different social groups leading to disparities in outcomes at various levels within the justice system, and why we need to introduce new legislation, policies, and practices to improve and modernize the system with respect to access to education for those incarcerated. New improvements and changes will contribute to reinforcement of rehabilitation which will lead to savings in monetary costs by reducing recidivism and ensuring more effective reintegration of those incarcerated back into the community post-release. The introduction and implementation of such new changes needs to be a collective effort involving all levels of the government and advocacy and allyship from organizations and community members to make it an urgent issue.

We conclude by pointing out that every once in a while recommendations and insights are shared from different reports. In many cases, they advocate for similar recommendations on a systemic level. Let us not continue to shelf these recommendations and recognize we are talking about people's lives and families who are greatly impacted by incarceration. Let us remain open-minded, compassionate, and empathetic with how we view those incarcerated. They should be seen as subjects with spirits and emotions instead of objects to be locked away. We have to be willing to examine issues from multiple perspectives, recognize our blind spots, and challenge deficit thinking rooted in pre-judgement that blames individuals for their circumstances without consideration for systemic factors. If we want to be honest with improving access to education for those incarcerated and quality of such programs, we must move from critique and understanding to taking collective actions in our various roles and positionalities given our respective access to power and privilege. Our legacy as a nation and our humanity as a country depends on this.



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Introduction, Background, and Objectives

The key objective of this report is to provide an overview of who are the remand population, to what extent the remand population and those sentenced can access educational programs and services, and to provide a scan of unique programs in Ontario that provide post-secondary education to those incarcerated. As part of the analysis, programs that exists in the United States are also examined to provide multiple approaches and perspectives on how to improve access to education to reinforce the goal of reducing recidivism and support holistic and more effective transition and reintegration of those incarcerated back into the community.

Access to education for the remand population and those incarcerated is a timely and relevant issue to explore as it is a human right outlined in Article 26 of the United Nations Universal Declaration of Human Rights (United Nations, 2021). While opportunities for access to education are limited across the country and in the province of Ontario, the covid-19 pandemic has further intensified and exasperated these barriers and limitations due to new restrictions rooted is social distancing to minimize the spread of the corona virus. These restrictions have resulted in a range of changes in programming from certain programs being put on hold to some being adapted or offered less frequently. This can have harmful short and long-term impacts on the mental health of the remand population who are looking for opportunities to better themselves as they await their trial date while navigating the difficult social conditions in correctional facilities affiliated with jail subculture such as overcrowding, use of lockdowns and solitary confinement, and exposure to various incidents of violence. (Sapers et al., 2017). A 2016 report by John Howard Society of Ontario titled *Reintegration in Ontario: Practices, Priorities, and Effective Models* points out,

Individuals in the Ontario jails are not provided with adequate or proper medical or psychiatric assessments and treatment. Furthermore prisons are not equipped to deal with people who have severe mental health issues due to the limited access to prescription medication and healthcare for mental health issues. Segregation and overcrowding can also compound mental health issues. (p. 30)

The intersection of inaccessibility or timely access to mental health support services and lack of access to educational opportunities intensifies the disadvantages experienced by the remand population, even more so in our current context that has led to temporarily shut down of regular programs and services due to COVID-19 restrictions.

The upcoming sections of this report will explore and discuss who are the remand population, what are provincial and national trends with the remand population over the last decade, provide an overview of intake assessment and identification of educational needs of those incarcerated, identify educational programs and services offered in Canada and United



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States to support access to education as a human right, and examine case studies of organizations in Ontario which provide post-secondary educational programs to the remand population. Overall, various themes are outlined to shed light on factors that contribute to reinforcing inequitable access to education. In response, various recommendations are made to improve access to education systemically and in collaboration with various government levels, community organizations, and post-secondary institutions. This would be part of the vision and strategies involved to make access to education a sustainable reality for those incarcerated as its benefits outweigh the costs, both socially and in terms of monetary value (Davis et al., 2013).

Overall, the objective of this report is to better understand to what extent educational programs are available and accessible to the remand population and those incarcerated with a particular focus on access to post-secondary education, whether courses/programs completed while incarcerated are formally recognized by post-secondary educational institutions, and how to improve the processes involved to support effective re-integration of those in remand post-release. Access to education while incarcerated and recognition of such credits earned by post-secondary institutions can be a key protective factor in creating opportunities for upward social mobility and crime deterrence post-release. Education is a human right, even if incarcerated, and consequentially a foundational tool and investment in securing employment, as “stable employment is one of the major pillars for the successful reintegration of releasees” (John Howard Society of Ontario, 2016, p. 20).

Primary Research Scope

The key objective of this report is to conduct a scan of programs and the extents which they provide post-secondary education to individuals who are incarcerated, with a particular focus on the remand population in Ontario. The goal is to better understand processes involved including challenges and systemic barriers related to accessing education while incarcerated and how to improve such conditions to ensure the human right of access to education is upheld by correctional facilities and the federal government. As an extension of this exploration, it is important to consider to what extent learning while incarcerated is formally recognized by post-secondary educational institutions, what opportunities and programs already exist, what are some of their shortcomings and challenges, to what extent these programs are supported and funded by various levels of government, and how overall access to education can be improved through synergic collaborations (Eizadirad, 2020) between correctional facilities, post-secondary institutions, and community organizations.

As part of phase 2 related to this research, we hope to interview participants who currently access or in the past have accessed educational programs while incarcerated to understand their lived experiences including:

- What are the experiences of remanded individuals who receive educational training while incarcerated? What are their experiences as they attempt to enter post-secondary education after being released from jail?



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- Is their learning, more specifically credits earned, formally recognized by the colleges or universities they enter? What challenges and barriers do they experience during this process?
- What could be enacted and implemented to create greater access to education for the remand population and to streamline their transition to post-secondary education?

Who are the Remand Population?

According to the federal *Criminal Records Act*, a person is considered a youth between the age of 12 and 17, and if charged with a crime during this time, the *Youth Criminal Justice Act* applies to them. This includes parameters such as in most cases having their name banned from being revealed to the public and the use of extrajudicial measures to hold first-time, non-violent offenders accountable. At age 18, a person is considered an adult (Government of Canada, *Criminal Records Act*, 1985, c. C-47). When a person is charged with a crime, if the crime they are charged with is serious in nature, they are likely held in custody until their bail hearing. A bail hearing does not determine whether the charged person is guilty or innocent. It is a court order that grants or denies permission to be released back into the community while the case is processed until trial date. If the person is granted bail, they will have to follow the conditions set by the judge. If the judge does not grant bail or if bail is set at an amount that the individual cannot afford, they are remanded into custody. A person remanded into custody must remain in a maximum-security facility until their trial which can take months or years depending on the complexity and the nature of the charges. If the accused are found guilty at trial and sentenced to jail time, the length of the sentence determines whether they are transferred to a provincial or a federal facility. As George, Gopal, and Woods (2014) point out, “The federal government is responsible for overseeing the incarceration and care of individuals sentenced to two years or more and provincial/territorial governments are similarly responsible for individuals sentenced to two years less a day and pre-trial custody” (p. 35). This process is also explained visually via an approximately 5-minute whiteboard video produced by Amadeusz for educational purposes. It can be accessed at: <https://www.youtube.com/watch?v=zu-NrnZcnAM>.

Why the Focus on Access to Education?

Education is a key protective factor in reducing recidivism and enhancing a more holistic and effective reintegration and resettlement back into the community post-release (Davis et al., 2013; John Howard Society of Ontario, 2016; Eizadirad, 2016; McMurtry & Curling, 2008; Richer et al., 2015). Investing in education would be a more sustainable long-term proactive approach, both in terms of outcomes and costs, rather than investment in reactionary punitive approaches rooted intensive surveillance and mandatory minimum sentences to reduce crime rates (Eizadirad, 2016; John Howard Society of Ontario, 2018).



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Chan et al. (2017) compiled a report from various statistical resources titled *Everything You Were Never Taught about Canada's Prison Systems. A Primer on Canada's Urgent Human Rights Crisis* which includes numerous infographics to contextualize and emphasize the inaccessibility to education for the remand population and how systemic inequities contribute to over-representation of black, indigenous, people of colour, and those living in poverty being incarcerated in Canada (Colour of Poverty, 2019; John Howard Society of Ontario, 2018). Specifically referring to the findings of a 2004 study by Bazos and Hausman which compared the cost-saving analysis of one million dollar invested in incarceration compared to prison education programs, the infographic shows that one million invested in incarceration prevents approximately 350 crimes whereas the same amount invested in prison education programs prevents approximately 600 crimes (Bazos & Hausman, 2004).

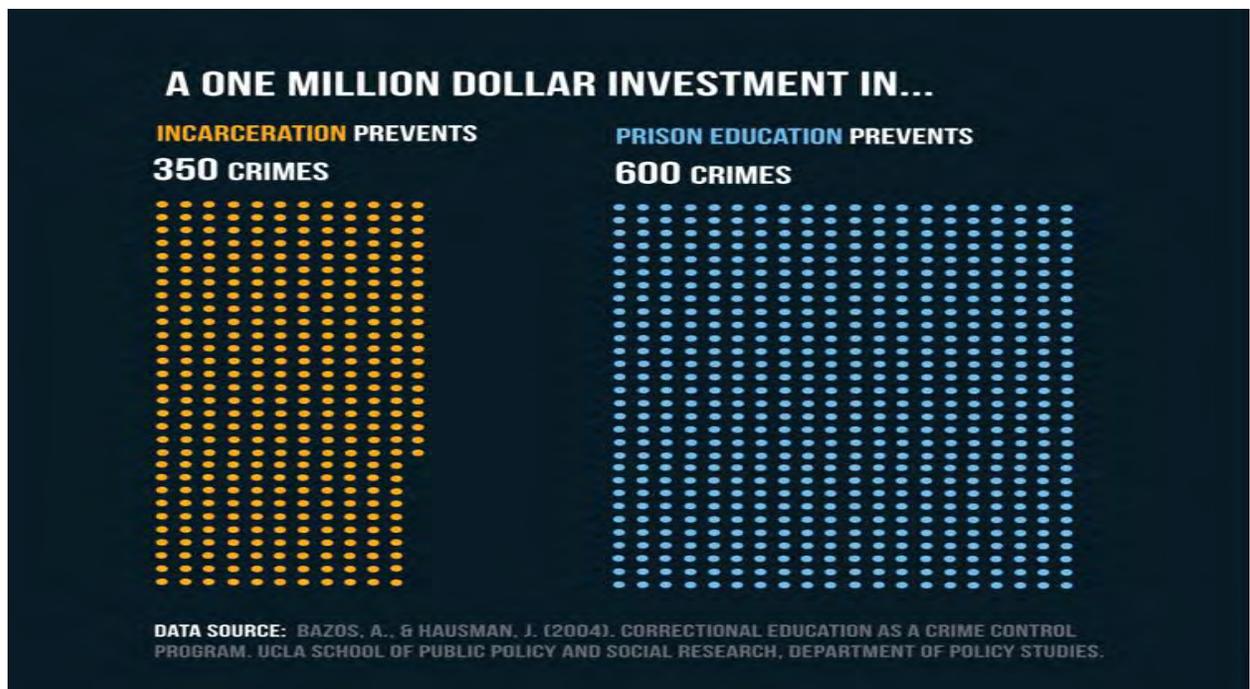


Figure 1. Chan et al. (2017). *Impact of Crime Prevention with a One Million Dollar Investment.*

Investments in prison education saves tax dollars in the long run as those who are released are less likely to re-offend leading to lower rates of recidivism and being re-incarcerated. Chan et al. (2017) discuss what this translates into in terms of monetary value where it “costs Correctional Service Canada an average of \$111,202 annually to incarcerate one man (and twice as much to



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incarcerate one woman), with only \$2950 of that money spent on education per prisoner” (para. 16).

A more recent report by the Office of the Auditor General of Ontario (2019) titled *Annual Report 2019: Reports on Correctional Services and Court Operations* outlines that,

[T]he Ministry does not have fully effective systems and procedures in place to ensure that institutional programs and services are delivered economically, efficiently, and in accordance with legislative and policy requirements. Specifically, we found that correctional institutions are not equipped to deal with challenges resulting from the greater proportion of remand population and inmates with possible mental health issues. This adversely affects the availability and content of programming and treatment that would otherwise help inmates reintegrate positively into the community and reduce recidivism. (p. 20)

These statistics are alarming and paint the picture that access to education as a human right is not maintained and upheld consistently within correctional facilities in Canada, and a more systemic approach is needed to ensure education is prioritized and the conditions to access it are improved. Investing in educational programs and services will lead to greater returns than punitive measures.

The Rise in the Remand Population: Remand Population Outnumbering Sentenced Offenders

The most recent statistics available that outlines the number of people in remand in Ontario is outlined in the Auditor General of Ontario 2019 report which states,

On a daily basis, remanded inmates comprise about 71% of the 7,400 inmates in custody. The proportion of remand population in institutions in Ontario has increased by 18% in the last 15 years, from 60% of the daily inmate population in 2004/05 to 71% in 2018/19. Data from Statistics Canada indicate that in 2017/18 (the most recent year for which data is available for all Canadian jurisdictions), Alberta, Ontario and Manitoba had the highest remand rates in Canada. (p. 22)

On a national level, 2005 was the first time Canada’s provincial and territorial jails held more people who were legally innocent in remand compared to sentenced offenders (Malakieh, 2019). Since 2005, the overall population of adults in remand has consistently outnumbered sentence offenders. The 2017 report by the Correctional Services Program titled *Trends in the Use of Remand in Canada, 2004/2005 to 2014/2015* provides some detailed statistics about these trends over a 10-year span:



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- In comparison to ten years earlier, the number of adults in remand has grown almost six times more than the number in sentenced custody. From 2004/2005 to 2014/2015, the average daily adult remand population increased 39%, while the average daily sentenced custody population was up 7%.
- All provinces and territories saw their adult remand numbers climb between 2004/2005 and 2014/2015. There have been particularly large increases in average daily counts in Nova Scotia (+192%), Northwest Territories (+139%), Manitoba (+134%) and Alberta (+109%). Prince Edward Island was the only jurisdiction to report a larger increase in its sentenced custody population than in its remand population.
- One in four adults (25%) admitted to remand in 2014/2015 were Aboriginal persons (excluding Alberta and Prince Edward Island). This is about 8 times greater than the representation of Aboriginal persons in the overall population (3%).
- Similar to the situation for adults, on an average day in 2014/2015, there were more youth aged 12 to 17 in pre-trial detention (561 or 56%) than were in sentenced custody (448 or 44%) (excluding Quebec). There have been, on average, more youth in pre-trial detention than sentenced custody since 2007/2008. (p. 3)

Some of these statistics are presented below in a visual format compiled from various resources and reports.

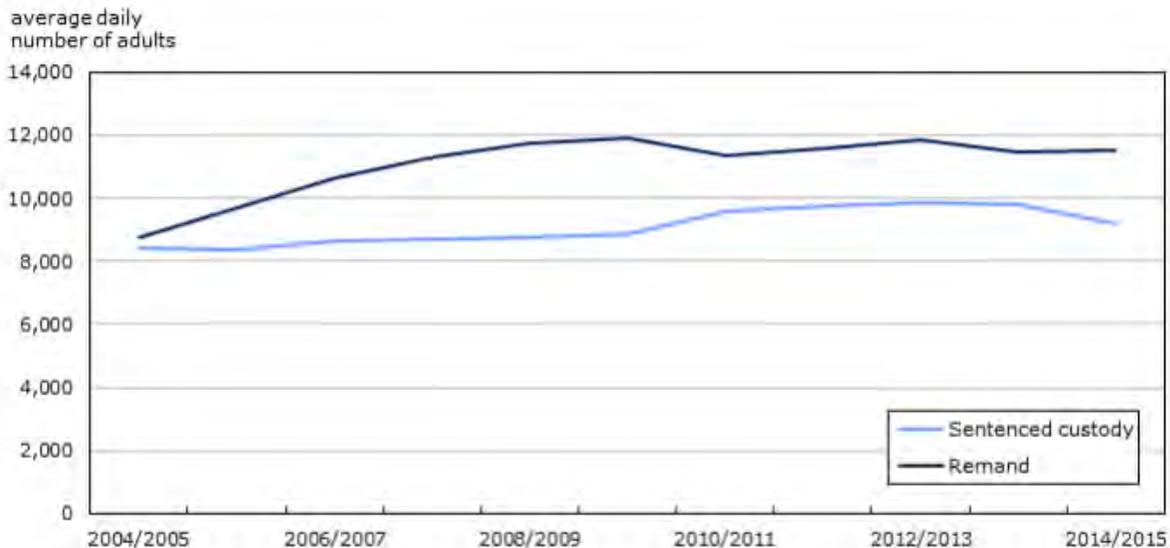


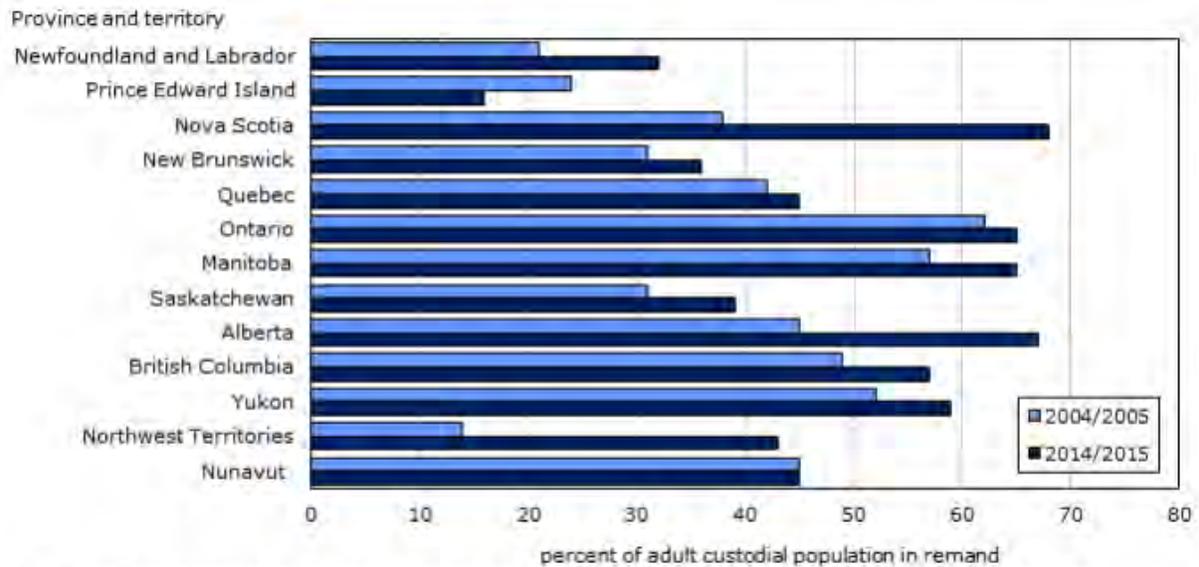
Figure 2. Trends in average daily counts of adults in provincial/territorial custody. By type of custody, selected jurisdictions 2004/2005 to 2013/2015 (Correctional Services Program, 2017, p. 6).



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Note: Additional data are available on CANSIM (Table 251-0005). Excludes "other temporary detention", such as immigration hold, which typically accounts for less than 2% of those in custody.
Source: Statistics Canada, Canadian Centre for Justice Statistics, Adult Corrections Key Indicator Report.

Figure 3. Average daily counts of adults in remand as a proportion of those in custody, by jurisdiction, 2004/2005 and 2014/2015 (Correctional Services Program, 2017, p. 7)

What is consistent across Canada and in the province of Ontario as a trend since 2005 is the increase in the remand population incarcerated compared to sentence offenders. Examining more up to date statistics that goes beyond 2015, the 2019 report *Adult and Youth Correctional Statistics in Canada, 2017/2018* points out that these trends have continued:

- In 2017/2018, on average per day there were about 50% more adults (14,812) in remand than were in provincial/territorial sentenced custody (9,543)
- Among the provinces and territories in 2017/2018, eight jurisdictions had a higher proportion of remanded adults versus those in sentenced custody: Alberta (70%), Ontario (69%), Manitoba (69%), Nova Scotia (65%), British Columbia (65%), Yukon (62%), the Northwest Territories (58%) and Nunavut (55%) in remand. (Malakieh, 2019, pp. 3-4)



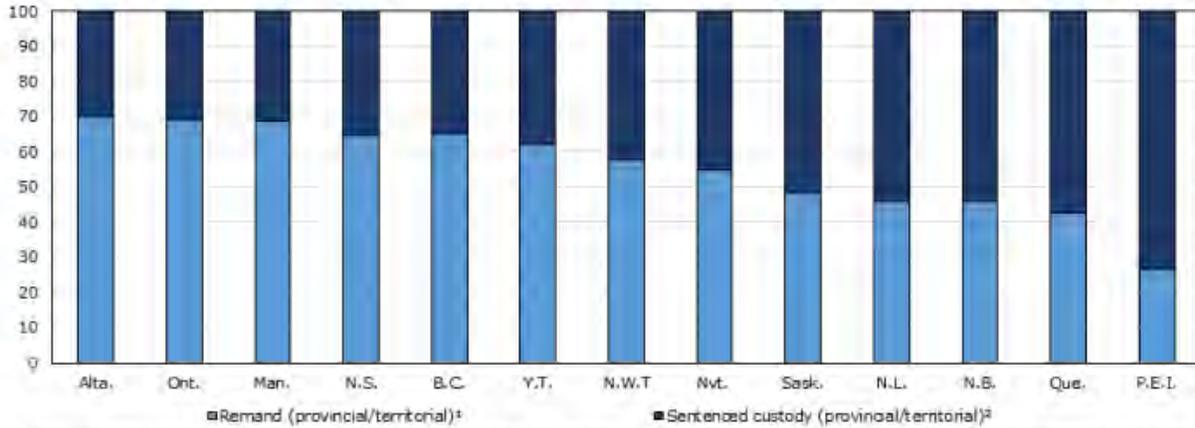
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Proportion of adult average daily counts to remand and sentenced custody, 2017/2018

percent of average daily counts



1. Remand is the detention of a person in custody while awaiting a further court appearance. Remand is the responsibility of provincial/territorial correctional services.
 2. Sentenced custody counts for the provinces and territories include offenders on intermittent sentences (when in) and offenders serving federal sentences where applicable.
Note : Additional data are available on Statistics Canada tables 35-10-0154 and 35-10-0155. Counts are based on the average number of adults in correctional services per day. The figures presented consist of the proportion of adults in remand or sentenced custody, and excludes those on other temporary detention. Figures may not add up due to rounding.
Source: Statistics Canada, Canadian Centre for Justice Statistics, Adult Corrections Key Indicator Report, 2017/2018.

Figure 4. *Proportion of adult average daily counts to remand and sentenced custody, 2017/2018* (Malakieh, 2019, p. 9).

Examining the numbers expressed in the tables, figures, and statistics as a collective, it shows that since 2005 until now, the number of people in remand has consistently increased over the years. It is also important to emphasize that the remand population has increased at a faster rate than sentenced offenders, particularly in Ontario where between 2004/2005 and 2014/2015, “the number of adults held in remand on a typical day increased 39%. This was nearly 6 times the increase in the sentenced custody population (+7%). In contrast, between 2004 and 2014, the number of adults charged with a crime by police in Canada declined (-2.4%)” (Correctional Services Program, 2017, p. 5). Most recently, the Office of the Auditor General of Ontario in their 2019 report point out,

[A]bout 80% of the approximately 51,000 individuals admitted into Ontario adult correctional institutions in 2018/19 were accused persons on remand who were awaiting bail or trial. On a daily basis, remanded inmates represent 71% of the 7,400 inmates in custody. The remaining 29% of inmates are those that have been found guilty of a crime with a sentence of less than two years. The proportion of the remand population in institutions in Ontario has increased in the last 15 years, from 60% in 2004/05 to 71% in 2018/19. (p. 5)



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These trends are alarming given that those in remand have not been proven to be guilty of their charges and are legally innocent. As well, those remanded into custody must serve their time at a maximum-security facility. In Ontario, there are eight national correctional facilities for convicted inmates sentenced to two years or more and nine provincial detention centres, nine provincial jails, and nine provincial correctional centres for people awaiting trial or who are serving a sentence up to two years less a day. Having to serve time in a maximum-security facility while remanded into custody and awaiting trial can have a large impact on one's mental health particularly with limited access to educational programs and support services.

As Chan et al. (2017) demonstrate using infographics that represents compiled data in an accessible and easy to understand manner, “In 2016, Canada’s crime rates hit a 45-year low. At the same time, paradoxically and with resounding silence from the public, incarceration rates hit an all time high” (para. 4). As stated already, majority of the population incarcerated in Canada and within Ontario are people remanded into custody awaiting trial.

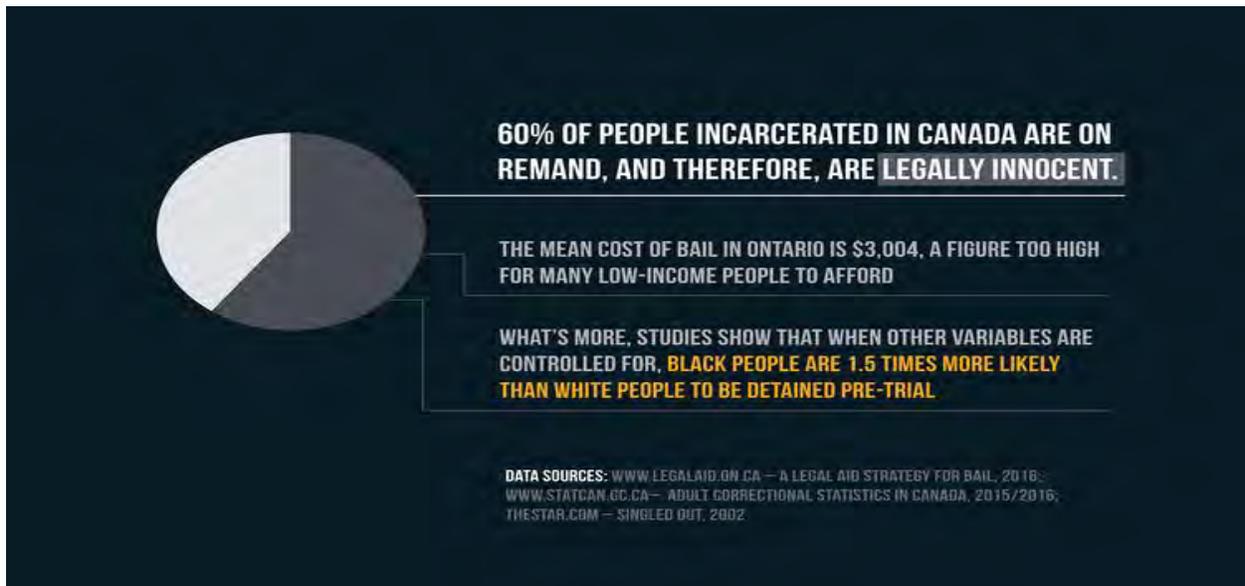


Figure 5. Chan et al. (2017). *Percent of People Incarcerated in Canada as Remand Population.*

Given the trends of continuous increase in the overall remand population in correctional facilities, and their more rapid increase during a period when Canada’s crime rate decreased, it is timely and important to focus and discuss access to education and the transfer experience of the remand population as a priority. As the Office of the Auditor General of Ontario (2019) annual report states, “In 2017/18, the percentage of Ontario’s inmates on remand was the second-highest of all jurisdictions in Canada. In essence, justice for these inmates is being delayed—justice



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delayed is justice denied” (p. 5). This is a trend that is alarming, contributing to perpetuating inequities for those incarcerated, and systemically disadvantaging black, indigenous, people of colour, and those from lower socio-economic status (Colour of Poverty, 2019; John Howard Society of Ontario, 2016). Access to education while remanded is an area which need prioritization to support the holistic needs of those incarcerated as it largely contributes to reducing recidivism and creates opportunities for upward social mobility and reintegration back into the community post-release.

Consequences of Being Remanded into Custody

There are many short and long-term consequences affiliated with being incarcerated. According to the Correctional Services Program (2017) report,

Studies have shown that many individuals in pre-trial custody are housed in maximum security facilities where they are held in small cells with two or three other people. They often do not have access to rehabilitative or recreational programs, and face a high degree of uncertainty regarding the length of time they will be incarcerated. Apart from the potential loss of employment and accommodation, other possible consequences for persons held in remand include separation from family, need to find emergency child care, and missed medication or medical treatments. (p. 4)

These consequences are a daily reality for those incarcerated while navigating a jail subculture where there is potential for exposure to sporadic incidents of violence (Roderique, 2019; Sapers et al., 2018).

Sapers et al. in their 2018 report *Institutional Violence in Ontario- Case study: Toronto South Detention Centre* provide an overview of their findings where they collected data examining a “90 day investigation of reported incidents of inmate-on-staff violence in Ontario’s provincial facilities” (p. 4). They provide an in-depth case study analysis of the daily realities facing those incarcerated in the Toronto South Detention Centre supplemented with visuals and images from inside the facility, as it was the facility which “reported the highest number and greatest rate of increase in reported incidents of inmate-on-staff violence in 2017” (p. 3). The report conducted interviews and surveys with many people with different roles who work in correctional facilities to gain insight about the day to day functioning of these facilities in Ontario. As it relates to access to education, it is important to emphasize a few quotes from this report. For example, a recreational officer interviewed critiqued the ineffectiveness of how program is offered and delivered expressing “that recreation can have positive impacts of reintegration... [but there were] huge limitations given our available space and condition of the jail” and that “programming is inconsistent, irregular and not available enough to make a difference” (p. 73). These limitations also apply on a larger scale to access to educational programs (Roderique, 2019). Pollack and Hutchison (2018) reiterate some of these shortcomings



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as it applies to delivering the Walls to Bridges educational program (which will be discussed later in this report) within multiple correctional institutions in Ontario involving inmates as students learning alongside students from an outside post-secondary institution. Most common barriers identified from perspectives of those who participated in the Walls to Bridges education program were “lack of consistent access to computers, technology such as DVD players, classroom space and the internet” (p. 12). Particularly for students who were learning while incarcerated, referred to as “inside” students, lack of access to hardcopy educational materials and lack of access to the internet to complete their assignments were identified as major barriers limiting effective teaching and learning. Staff shortages and lockdowns were also identified as contributing to programs being disrupted and delivered inconsistently.

Sapers et al. (2018) further examined the mindset and attitude of staff working at correctional facilities in Ontario and identified how many staff had negative attitudes and stereotypical ideologies towards inmates and their potential from a deficit lens seeing them as incapable or incompetent of learning and rehabilitating back into the community. For example, one experienced officer interviewed stated, “the only special programs should be those that deal with mental health issue...all others are a waste of time and focus” (p. 73). As part of their recommendations, Sapers et al. (2018) suggested more education and training for staff to prioritize effective access and support around programs and services offered within correctional facilities which aligns with promoting the goal of rehabilitating inmates. This is important as negative stereotypical attitudes expressed via actions and words by staff towards inmates can lead to further conflict and escalating incidents of violence. More up to date statistics are provided by the Office of the Auditor General of Ontario (2019) which contextualizes and confirms there are limited programs and support services that are accessible to those incarcerated within Ontario correctional facilities including the remand population:

- In 2018/19, 33% of all inmates admitted across the province had a mental health alert on their file- indicating possible mental health concerns- compared with 7% of inmates in 1998/99. (p. 10)
- Our audit noted that a growing proportion of inmates have possible mental health issues. Without sufficient staff training and appropriate units to place inmates in, these inmates are often sent to segregation as a result of their behaviour. We found that segregation, which keeps inmates isolated as much as 24 hours a day, was being used to confine inmates with mental health issues due to a lack of specialized care beds. (p. 17)
- We also found that little emphasis is placed on delivering programming to remanded inmates, who comprise the majority of the inmate population. Program staff left it up to the inmates to choose which programs to attend, and made little effort to reach out to and encourage inmates to attend programs. This has contributed to low attendance in programs targeted toward remanded inmates intended to provide information about factors that contribute to criminal behaviour. (pp. 17-18)



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- To deal with occupancy pressures, we found that the Ministry has increased the capacity of 16 of the 25 institutions by an average of 81% more than the original capacity when they were built by adding beds in cells. (p. 18)

These various statistics outlined situate how multiple factors intersect and converge leading to limited access to programs and services for rehabilitation purposes at the expense of the use of more punitive tactics. These normalized practices often used within correctional facilities to control incidents of violence via punitive measures are ineffective in supporting mental health of those incarcerated. In many circumstances, tactics such as overcrowding in jail cells, use of solitary confinement as punishment or for defusing of a situation, or lack of access to programs and support services leads to intensifying and making matters worse in reducing recidivism and facilitating their rehabilitation back into the community.

If the long-term goal of correctional facilities is rehabilitation and reintegration of those incarcerated back into the community, the current system is not making it a priority based on how their policies and processes are enacted and implemented, including lack of prioritization for access to education and resources allocated for delivery of such programs. According to the John Howard Society of Ontario (2018) report *The Invisible Burden: Police Records and the Barriers to Employment in Toronto*,

- Individuals who become involved with the criminal justice system tend to have lower educational attainment and work experience. Opportunities for training during incarceration may be limited, and released individuals may have limited employment opportunities because of low skills, low education, and diminished social networks.
- Formerly incarcerated individuals returning to the Toronto job market upon release are at a distinct disadvantage due to low educational attainment. Approximately 75% of prisoners entering federal correctional facilities between 2008 and 2013 had not completed high school or an equivalent, compared to 20% in the Canadian population overall. (p. 22)

As outlined in the aforementioned statistics in the Ontario context, lack of education can greatly contribute to recidivism and re-offending post-release as it is a key protective factor in gaining access to employment and other opportunities for establishing independence post-release.

Lack of Access to Education is Part of a Larger Systemic Racism

Lack of opportunities for the remand population, particularly as it relates to access education, is problematic and perpetuates inequities as the time served while awaiting trial becomes counter-productive and in many cases leading to harmful outcomes in mental health and other areas. This subsection outlines how lack of access to education is part of a larger systemic problem embedded within the justice system at various levels that largely disadvantages



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racialized identities, particularly black, indigenous, people of colour, and those from lower socio-economic status (Colour of Poverty, 2019; United Way, 2019). Roderique (2019) in her article *Why are Most People in Prison Unconvicted* discusses the shortcoming of the justice system by examining perspectives of lawyers and past lived experiences of those remanded into custody. She expresses that the justice system as it currently operates is ineffective “financially, morally, or logically” (para. 20) leading to a continued increase in the number of people incarcerated on remand simultaneously at a time when Canadian crime rates are decreasing. Roderique (2019) examines differences in circumstances for those serving time on remand versus being a sentenced offender:

In a cruel twist of irony, life on remand is often worse than life in a federal prison. It is a lonely, boring, mentally draining place that seems to only serve to isolate, irritate, and exacerbate any troubles the person is facing in their life, the troubles that usually got them sent to detention in the first place. Detainees are held in maximum-security provincial institutions under the most severe restrictions regardless of the nature of the allegation or their criminal history. Unlike federal prisons, which have life skills, work, reintegration, rehab, and literacy programs, adults held in pre-trial detention have no chance to work and few opportunities for programming, education, and exercise. (para. 7)

It is difficult to have a conversation about systemic inequities in the justice system without having a conversation about race and racialization at an institutional level in Canadian society (Block & Galabuzi, 2011; Colour of Poverty, 2019; Eizadirad, 2019; Williams et al., 2013). Definitions matter and for the purpose of this report, race and racialization are referred to based on the following definition:

Race is a socially constructed way of judging, categorizing and creating difference among people based on physical characteristics such as skin colour, eye, lips and nose shape, hair texture and body shape. The process of social construction of race is termed “racialization.” This is the process by which societies construct races as real, different and unequal in ways that matter to economic, political and social life. (Toronto District School Board, 2017, p. 75)

At the core of racialization is disparities in access to opportunities that lead to larger inequities. As the Colour of Poverty (2019) fact sheet *Racialized Poverty in Justice and Policing* points out:

- As a result of higher levels of scrutiny compared to white people, minorities are more likely to be arrested, convicted and punished, which has been identified as a significant contributing factor to the overrepresentation of Black males in the criminal justice system.



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- In 2016, Black people comprise 3.5% of the general Canadian population, but made up 10% of the federally incarcerated population
- In 2016, 25% of the total federally incarcerated population – and 35% of federally-sentenced women – were Indigenous, despite accounting for only around 4.3% of the total Canadian population.
- Between 2005 and 2015, the number of incarcerated Indigenous Peoples increased by more than 50%, while the number of incarcerated Indigenous women almost doubled
- Racialized communities are over-represented among the low income population and face heightened risk of homelessness, incarceration, and human rights violations. This increases their likelihood of being over-policed, while diminishing their access to justice and security
- Access to justice, and the fair representation of racialized individuals before courts, administrative tribunals, and access to legal aid is made that much more difficult because of their race and immigration status on the one hand, and the lack of culturally and linguistically responsive and safe services in the justice system on the other. (pp. 1-2)

The aforementioned statistics situate how racialized identities and communities, specifically black, indigenous, people of colour, and those living in poverty are systemically disadvantaged within the Canadian justice system at all levels leading to their over-representation in being incarcerated.

An example of how systemic inequities lead to inequitable outcomes is black men more likely having criminal records due to anti-black racism within institutional policies and practices (Canadian Civil Liberties Association, 2014; Colour of Poverty, 2019; Sapers et al., 2018). This could be attributed to several practices including increased police presence and surveillance in racialized neighbourhoods, racial profiling by officers (Eizadirad, 2016), and deficit thinking and stereotypical images normalized via dominant discourse and media representations. Zainey (2010) states that “the argument could be offered that the adjudicatory system itself is discriminatory in practice; otherwise all races would be convicted at proportional rates and there would be no disparities” (p. 286). Racialized identities in general have been placed on the margins, making it more challenging for them to move past their criminalized identity post-release (Colour of Poverty, 2019; Williams, Jones & Bailey, 2013). At the core of racialization and being a racialized person is navigating inequitable power dynamics at the institutional and societal level in the form of barriers related to accessibility to opportunities and services. These issues impact all identities in the community as well as those incarcerated as part of the remand population, but it has particularly more severe negative consequences for racialized identities and communities. This is a systemic issue that is intrinsic within many institutions that goes beyond the justice system to other institutions such as healthcare, education, government, etc. (Block & Galabuzi, 2011; Colour of Poverty, 2019; McMurtry & Curling, 2008).



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Eizadirad (2020) outlines how historically- and we can argue even today in 2021 based on statistics outlined- racialized identities and neighbourhoods are treated as expendable and disposable, disadvantaged by inequitable policies and practices including the intersection of the education and justice system. The convergence of their inequities has led to the school to prison pipeline. Reflecting on key historical events in Ontario, on May 4, 1992, people took to the streets to protest and resist the systemic discrimination racialized identities were experiencing living in Ontario and to show solidarity with the people in Los Angeles who were experiencing similar issues in a different context where the systemic discrimination was more explicit. These protests were sparked by the acquittal of four white police officers caught on video brutally beating black driver Rodney King in the streets of Los Angeles in 1992. Fast forward to 2020 and we have the death and public lynching of George Floyd by a white police officer who had his knee placed on Mr. Floyd's neck for over 8 minutes ignoring his plea for not being able to breath. Similar to the Rodney King beatings which was caught on camera, the death of George Floyd was also video recorded and shared with the world publicly sparking world-wide protests bringing attention to anti-black racism embedded in institutional practices at all levels including policing practices.

It is important for the purpose of this report focusing on the Ontario context that we discuss other key historical incidents and reports which have contributed to mapping the trajectory of anti-black racism and larger system issues in this province. The Yonge street uprisings took place in Ontario in 1992 which was a symbolic protest about anti-black racism. The Premier of Ontario at the time, Bob Rae, assigned Stephen Lewis as his Advisor on Race Relations and delegated him to consult local communities and produce a report shortly with recommendations to work toward solutions. The following month on June 9, 1992, Stephen Lewis produced his report titled *Report of the Advisor on Race Relations to the Premier of Ontario, Bob Rae*. Lewis (1992) outlines that in the span of 1 month, he held “seventy meetings with individuals and groups in Metro Toronto, Ottawa, Windsor and beyond, supplemented by innumerable phone conversations” (p. 1). As one of his key observations and findings, Lewis (1992) states,

First, what we are dealing with, at root, and fundamentally, is anti-Black racism. While it is obviously true that every visible minority community experiences the indignities and wounds of systemic discrimination throughout Southern Ontario, it is the Black community which is the focus. It is Blacks who are being shot, it is Black youth that is unemployed in excessive numbers, it is Black students who are being inappropriately streamed in schools, it is Black kids who are disproportionately dropping-out, it is housing communities with large concentrations of Black residents where the sense of vulnerability and disadvantage is most acute, it is Black employees, professional and non-professional, on whom the doors of upward equity slam shut. Just as the soothing balm of “multiculturalism” cannot mask racism, so racism cannot mask its primary target. (p. 2)



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Lewis describes how systemic discrimination, specifically anti-black racism, within institutions trickles down to impact the daily lives of racialized identities and communities contributing to inequality of outcome in various settings including the education and justice system. The various examples mentioned in the report demonstrates how race plays a key role in accessing opportunities and creating disparities in outcomes.

Similar findings were expressed by McMurtry and Curling (2008) in another Ontario report titled *Review of the Roots of Youth Violence* which examined root causes contributing to youth gravitating towards violence following the death of 15-year-old grade nine student Jordan Manners on May 23, 2007 at C.W. Jefferys Collegiate Institute, a public high school located within the boundaries of the Jane and Finch neighbourhood (Eizadirad 2016; James 2012). Manners died in the school hallway as a result of a gunshot wound to the chest. This incident was the first of its kind in Toronto where a student had died within a school. In the aftermath of Jordan Manner's death, the Premier at the time, Dalton McGuinty, approached Honorable Roy McMurtry and Dr. Alvin Curling to “spend a year seeking to find out where it (youth violence) is coming from- its roots- and what might be done to address them to make Ontario safer in the long term” (p. 1). This led to the 2008 publication of the *Review of the Roots of Youth Violence* which identifies numerous immediate risk factors that “create that state of desperation and put a youth in the immediate path of violence” (p. 5). The report defines “the roots” of youth violence, as the “the major conditions in which the immediate risk factors grow and flourish” (p. 6). These include poverty, racism, poor community planning and design, issues in the education system, family issues, health issues, lack of youth voice, lack of economic opportunity for youth, and issues in the justice system. As Eizadirad (2016) puts it, “Review of the Roots of Youth Violence report dares to speak the truth by naming race and racism and putting a face to it in terms of institutional practices” (p. 178). The report predominantly names racism and poverty as major systemic barriers contributing to youth gravitating toward violence stating that “Alienation, lack of hope or empathy, and other immediate risk factors are powerfully, but far from exclusively, driven by the intersection of racism and poverty” (p. 19).

Findings from the Lewis (1992) and McMurtry and Curling (2008) reports provide historical context for Ontario to help contextualize how systemic inequities rooted in the intersection of racism and poverty leads to disparities in outcomes such as the over-representation of racialized identities in correctional facilities particularly black and indigenous people (Chan et al., 2017; Colour of Poverty, 2019). Chan et al. (2017) situates this argument with a focus on the justice system and who is likely remanded into custody:

Black and Indigenous people, as well as those who were homeless or unemployed at the time of their arrest, are disproportionately not granted bail and incarcerated on remand. In 1995, the Commission on Systemic Racism in the Ontario Criminal Justice System came to the “inescapable conclusion” that some Black people who were detained pre-trial would not have been detained if they were white. This reality remains true in 2017, as do



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the consequences. People who are incarcerated on remand and subsequently plead not guilty at trial are less likely to be acquitted than those who were not detained pre-trial. Also, because remand is seen as temporary—despite the fact that it can stretch up to several years—prisoners on remand rarely have access to educational programming or vocational training. Prisons with a high number of prisoners on remand (usually called detention centres) are maximum security, and are often overcrowded and understaffed. (para. 9)

Chan et al. (2017) further emphasize that “the overrepresentation of racialized communities in Canada’s prisons reflects the country’s racial profiling and over-policing of Black and Indigenous people” (para. 10). A visual is provided by Chan et al. provided below to better understand the statistics.

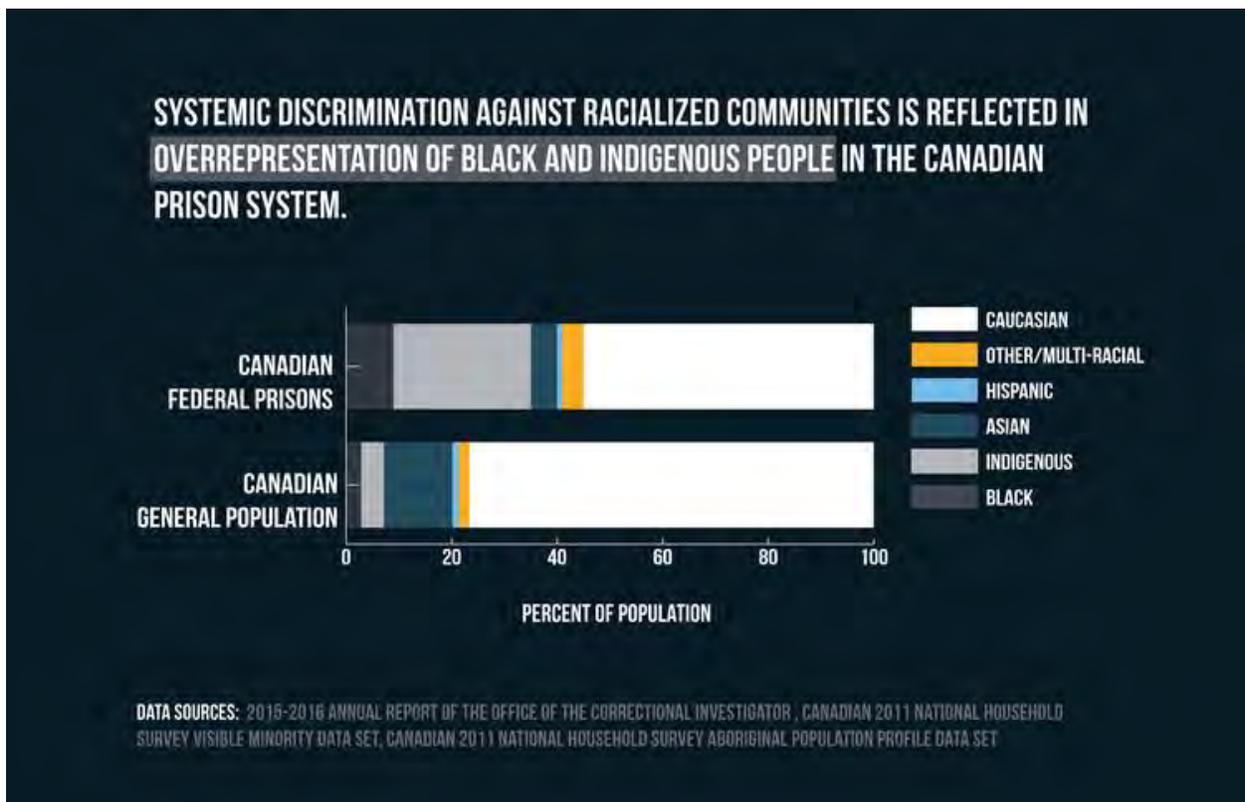


Figure 6. Chan et al. (2017). *Systemic Racism and Overrepresentation of Black and Indigenous People in the Canadian Prison System.*



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Chan et al. (2017) further deconstruct the statistics pointing out that,

Out of an average of 14, 615 prisoners in Canadian federal institutions on a given day in 2015-2016, 26 percent are Indigenous and nine percent are Black—and between 2005 and 2016, the federal incarceration rate of Black people in Canada increased by 70 percent. Compare this to the breakdown of the general population: Indigenous people only make up 4.3 percent of the population, and Black people only 2.8 percent. Currently, Indigenous women are the fastest growing prison population, representing more than 35 percent of the federal population of women prisoners. Such overrepresentation reflects how Black and Indigenous people are consistently targeted and over-policed in Canada. (para. 11)

Overall, the statistics and visuals presented as part of this section express how systemic racism continues to be an issue within Canadian society and its institutional policies and practices including the justice system. This is an urgent matter that needs attention to mitigate the disparities and inequities disadvantaging racialized identities.

The Right to Education for the Remand Population- From Lack of Recognition to Inconsistency and Ineffectiveness in Implementation

It has been internationally recognized that those incarcerated have the right to education (George et al., 2014; United Nations, 2021) yet as discussed throughout this report access to education is not prioritized within prisons and correctional facilities. In limited circumstances where educational programs are offered, it is inconsistent and the conditions and resources allocated to the educational programs are minimal and inadequate for promoting effective teaching and learning (Richer et al., 2015; Sapers et al., 2017). The Office of the Auditor General of Ontario in their 2019 annual report provides an overview of the life skills programs targeted towards remanded inmates:



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Session	Target Group	Description
Anger Management	Men and Women	What is anger, how someone becomes angry and what someone can do to better manage anger.
Being an Effective Father	Men	Qualities of an effective parent and the factors affecting effectiveness of parenting.
Changing Habits	Men and Women	How to identify habits and determine if they are helpful or harmful, plus how to make changes.
Coping with the Impact of Trauma	Women	Provide an understanding of the impact of trauma and gain some self-management skills in order to increase their sense of control.
Effective Communication	Women	Helps women pay attention to how they communicate so they can get their needs met, improve their relationships and get the most out of their lives.
Goal Setting	Men and Women	Focus is on how to set realistic, attainable goals.
Healthy Body Image	Women	Importance of having a healthy body image.
Human Trafficking	Women	Raise consciousness, provide information and point participants in the direction of help and assistance from community partners and agencies.
It's a Gamble	Men and Women	Issues related to gambling, including "luck" and intervention options.
Leaving the Sex Trade	Women	Raise consciousness, provide information and point participants in the direction of help and assistance from community partners and agencies.
Looking for Work	Men and Women	Job search components including application fact sheet, cover letters, résumés and what employers expect.
Maintaining Employment	Men and Women	Skills and issues required to maintain employment.
Managing Stress	Men	Effects of stress and tools to manage stress more effectively.
Parenting	Women	Provides effective parenting techniques.
Planning for Discharge	Men and Women	What constitutes a good discharge plan.
Problem Solving	Men and Women	Provides participants with skills in how to approach a problem effectively to ensure that they are able to objectively evaluate all options, identify related feelings and thinking errors to arrive at the most pro-social solution.
Recognizing Abusive and Healthy Relationships	Men and Women	What constitutes abuse in a relationship, different types of abuse, the impact of abuse on partners and children, healthy versus unhealthy relationships.
Self-Care	Women	Explores the difference between taking care of someone and self-care, why self-care is important and some self-care skills.
Setting Up a Budget	Men and Women	Components of an effective budget and tips on how to manage finances.
Substance Use	Men and Women	Differences between use and abuse and how to assess if someone has a problem.
Supportive Relationships	Men and Women	Benefits of supportive relationships (family, friends, professional relationships). Differentiation is made between those relationships that while they meet needs are not always healthy, and those relationships that are truly supportive.
Thoughts to Action	Men and Women	Impact of the thinking process on how people make choices.
Understanding Feelings	Men and Women	What feelings are, how people can affect feelings by their thoughts and beliefs, and the importance of identifying and managing feelings.
Understanding Self-Harm	Women	Awareness of triggers that provoke a self-harm situation, the four stages of self-harm, forms of intervention that correspond with each stage and coping strategies.
Use of Leisure Time	Men	Productive use of leisure or recreational time.

Figure 7. *Life Skills Programs Targeted towards Remanded Inmates* (Office of the Auditor General of Ontario, 2019, p. 76).



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Examining the various types of programs offered to the remand population, George et al. (2014) argue that “only religion and addiction-based programs remain consistently implemented across Ontario detention centres” (p. 40). The budget allocation by Correctional Services of Canada for educational programming is minimal at approximately \$2950 per student per year.

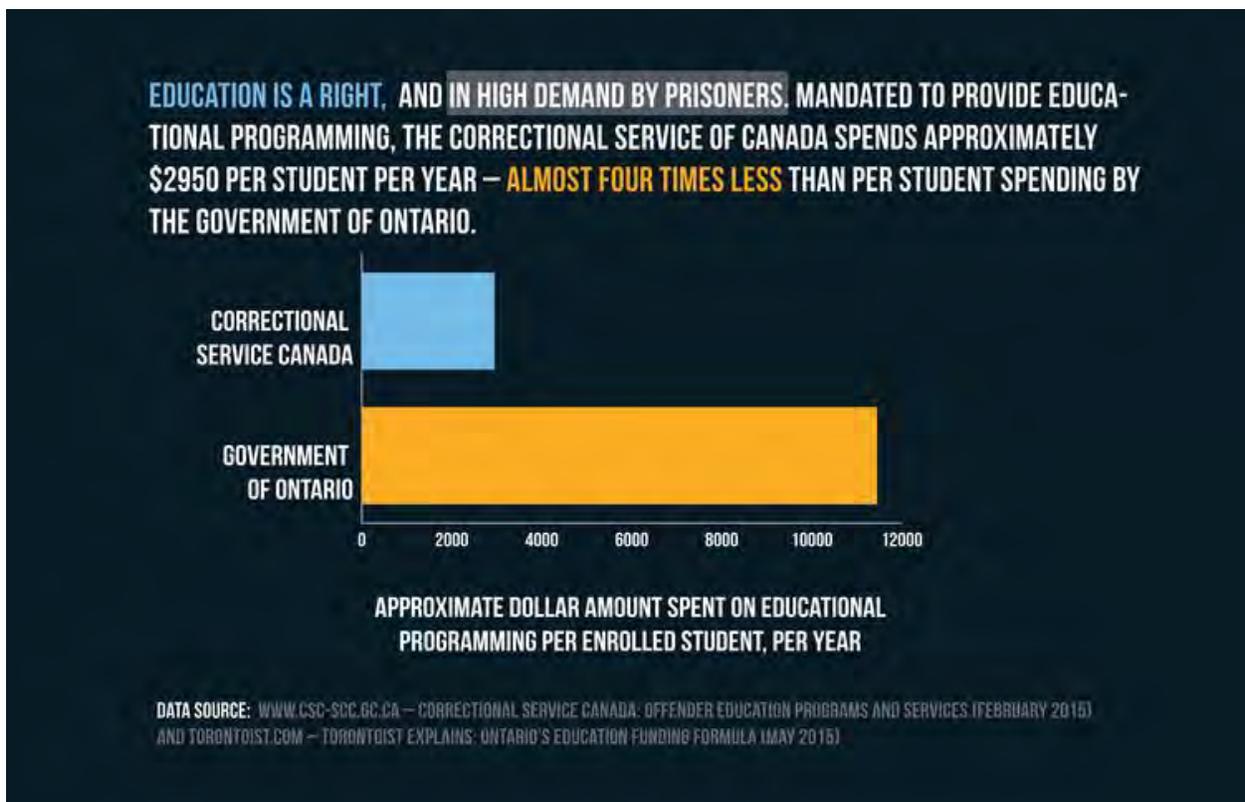


Figure 8. Chan et al. (2017). *Funding for Educational Programming.*

This is alarming considering that those remanded into custody are legally innocent yet treated as criminals and provided limited access to education programs to better themselves while awaiting their trial. For access to post-secondary courses and programs, those incarcerated generally must pay for the cost of the course after confirmation that they have all the prerequisites (Correctional Services Canada, 2018). Once approved and enrolled into a course, the course is conducted via paper-based correspondence with the post-secondary institution.



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Accessing Education while Federally Incarcerated: Overview from Intake Assessment to Program Placement

There is a demonstrable need for educational programming in Canadian federal institutions as approximately 75% of offenders admitted to federal custody reported that they did not have a high school diploma (or equivalent). (Correctional Service of Canada, 2015, p. vii)

The following Correctional Service of Canada (CSC) websites provide information about intake assessment and guidelines for placement and access to various educational programs for those federally incarcerated which mean sentenced to two year or more:

- 1) *Education Programs*: <https://www.csc-scc.gc.ca/002/002-0005-en.shtml>
- 2) *Guidelines for Education Programs*:
<https://www.csc-scc.gc.ca/acts-and-regulations/720-1-gl-eng.shtml#s2f>

The Correctional Service of Canada's (CSC) website (2019) titled *Education Programs* states that, "Education is important as it increases offenders' chances to successfully transition back into society. Improved literacy skills may improve an inmate's ability to take part in correctional programs (para. 1). Under *Goals and Process*, the website outlines the goals of the educational programs offered:

- address offenders' educational needs
- increase offenders' basic literacy, social cognition, and problem solving skills
- prepare offenders for participation in correctional programs, and
- provide them with the knowledge and skills needed to gain and maintain employment and lawfully reside in the community upon their release

The website then explains the steps involved in identifying the educational needs of those incarcerated and how they are placed and monitored within educational programs:

1. A review of the initial education-related assessments
2. individual education planning
3. enrolment and participation in the delivery of education programs
4. ongoing assessment of progress
5. reporting



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It is important to note that in Canada there is no federal department of education. As a result, the curriculum offered as part of educational programs aligns with provincial/ territorial legislation where the facility is located delivered by certified teachers and trained staff. According to the Correctional Services Canada report by Richer et al. (2015),

An educational assessment is required for all offenders within 90 days of intake unless the offender is unwilling, unable (due to illiteracy, language barrier, visual impairment, medical reasons), or not required to complete an assessment. Documented assessments (e.g., official transcripts, diploma) and functional assessments (i.e., results of a standardized testing) are used separately or in tandem to determine the appropriate education level to place an offender. Education becomes an intervention need on individualized Correctional Plans when offenders do not possess a Grade 12 (or equivalent) level of education when entering the correctional system. If the offender's education level is determined to be below grade 12 or equivalent (using either a documented or functional assessment), the offender will be referred to an educational program. (p. 5)

Individuals who have not obtained a high school diploma or its equivalent have education identified as a need in their correctional plans. It is important to emphasize that this is not done for those in remand and only for those sentenced to serving two years or more. They are enrolled into the appropriate level of the Adult Basic Education program which has 4 levels described on the CSC (2018) website:

- a) *Adult Basic Education I*- allows inmates to acquire the basic literacy and numeracy skills to function in society. This program level covers grades 5 and under in all regions except Quebec, where this program level covers grade 6 and under.
- b) *Adult Basic Education II*- allows inmates to acquire the necessary education skills to proceed to secondary studies. This program level covers grades 6, 7 and 8 in all regions except Quebec, where this program level covers secondary I and II.
- c) *Adult Basic Education III*- allows inmates to earn compulsory secondary credits as specified by the appropriate Ministry of Education. This program level covers grades 9 and 10 in all regions except Quebec, where this program level covers secondary III and IV.
- d) *Adult Basic Education IV*- allows inmates to earn secondary credits in order to fulfill the requirements of a secondary school diploma (or equivalent) issued by the appropriate Ministry of Education. This program level covers grades 11 and 12 in all regions except Quebec, where this program level covers secondary V



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Majority of people incarcerated do not have a high school degree or its equivalent (Correctional Service of Canada, 2015). According to *The Invisible Burden: Police Records and the Barriers to Employment in Toronto*, a 2018 report by John Howard Society of Ontario, “Historical data indicates that about 35% of prisoners participate in ABE programs and 25% of participants complete them. This may mean a majority of all incarcerated individuals also leave a federal correctional facility without a high school-level education” (p. 22). This is problematic given that education is a key protective factor in reducing recidivism and providing access to opportunities to reintegrate back into the community (Davis et al, 2013).

According to the Correctional Service of Canada’s (2015) *Evaluation of CSC’s Education Programs and Services* report, “approximately three quarters of federally sentenced offenders present a need for educational programming” (p. vi). The report reiterates the benefits of educational programs expressing that “Offenders who participated in educational programming had lower rates of conditional release failure compared to non-participants and these results were better for medium and high risk offenders who completed more than 10 educational achievements” (p. vii). This finding signifies the importance of continuing to make educational programs accessible for those incarcerated. Access to post-secondary is considered different with unique parameters. The Correctional Service of Canada (2019) website under “Education Programs” points out:

- The Post-Secondary Prerequisite Program allows inmates the opportunity to earn additional secondary credits that they require in order to participate in post-secondary studies, vocational programs, or employment. This program is for inmates who already have a high school diploma (or equivalent).
- Offenders may pursue post-secondary education while incarcerated. The Post-secondary Education Program allows inmates to learn a trade or profession or update trade qualifications. Inmates who want to take post-secondary courses must meet the university or college's academic requirements. Courses are usually completed through correspondence with community colleges or universities.

Overall, there are limited post-secondary education programs offered across prisons and correctional facilities in Ontario and on a larger scale in Canada. Courses are usually completed through paper-based correspondence with community colleges or universities. *Evaluation of CSC’s Education Programs and Services* report identified the following findings with respect to the effectiveness of the education programs offered:



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LIST OF KEY FINDINGS

FINDING 1: RESPONSIBILITY FOR DELIVERING EDUCATION PROGRAMS

The education of inmates in federal correctional facilities is the responsibility of the federal government and CSC has a role and responsibility to deliver programming that contributes to offender rehabilitation including educational programming.

FINDING 2: NEED FOR EDUCATIONAL PROGRAMMING

There is a demonstrable need for educational programming in Canadian federal institutions.

FINDING 3: EDUCATION PROGRAM OUTCOMES

Offender participation in educational programming had an overall positive impact on public safety outcomes, particularly for high risk offenders who upgraded their education by more than 10 educational achievements.

FINDING 4: TYPE OF EDUCATION PROGRAM

When comparing high risk, non-Aboriginal offenders who completed GED to those who completed ABE IV, no significant differences were found for revocations with a new offence and employment outcomes. In addition, GED credentials were reported to be less valued in the community than a high school diploma. GED is also no longer recognized by the Ministry of Education in some provinces.

FINDING 5: COST-EFFECTIVENESS OF OFFENDER EDUCATION

Addressing offenders' educational needs contributes to successful public safety outcomes. Using a rigorous approach to analyze the direct costs associated with education program delivery and correctional outcomes, the evaluation suggests that CSC's education programs are cost-effective.

FINDING 6: OPTIMIZING DELIVERY

Focusing on higher risk offenders with education needs and raising their education levels through the delivery of Adult Basic Education programming optimizes positive post-release outcomes and overall cost-effectiveness.

FINDING 7: INSTITUTIONAL LIBRARIES

CSC's institutional libraries support offenders in their education program, however, the quality and quantity of library resources could be enhanced by providing reading materials that assist in addressing the education needs of offenders. Access to relevant and up-to-date reading material assists offenders in increasing their literacy level and increases opportunities for obtaining employment and successfully reintegrating into the community.

FINDING 8: COMPUTER RESOURCES

The current evaluation found that software applications and functions available to offenders participating in CSC's Education Programs are limited and are viewed by educational staff as out-dated and not meeting labor market standards. Staff indicated that computers and information technology could supplement the curriculum and provide opportunities for offenders to enhance their computer and employability skills in preparation for release.

FINDING 9: EDUCATIONAL DATA REPORTING

Data limitations make it difficult for the timely and accurate reporting of education program outcomes for offenders. Despite recent infrastructure improvements and the development of a national guide for entering educational data, information is still entered inconsistently or not at all in CSC's Offender Management System.

Figure 9. Findings from the *Evaluation of CSC's Education Programs and Services* report (Richer et al., 2015, pp. ix-x).



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In response to the aforementioned findings, the report also made a series of recommendations to improve access to educational programs and increase the effectiveness and quality of how programs and services are offered and delivered. These recommendations continue to be relevant and should be prioritized in being enacted and implemented to reinforce education an important platform to promote rehabilitation and reintegration of those incarcerated back into the community.

LIST OF KEY RECOMMENDATIONS

RECOMMENDATION 1: OPTIMIZING DELIVERY

In order to optimize the impact of education on post-release outcomes, CSC should target higher risk offenders, encourage regular and ongoing positive interactions in an environment that facilitates the development of cognitive as well as non-cognitive/social skills. CSC should also aim to increase offender literacy levels from elementary to high school levels of education, and identify and accommodate the needs of offenders with learning disabilities.

RECOMMENDATION 2: INSTITUTIONAL LIBRARIES

CSC should ensure that the educational information needs of offenders are met through access to relevant and up-to-date reading material which supplements CSC's education program and prepares offenders for their release to the community. In addition, institutional libraries should consider ways to control the flow of books in and out of the library (e.g., electronic catalogue and circulation system) to facilitate the tracking and management of CSC's libraries resources, and to increase opportunities to educate offenders in the full use of library resources.

RECOMMENDATION 3: COMPUTER RESOURCES

CSC should consider supplementing educational program material with electronic resources to capitalize on the benefits of computer-assisted learning which will provide opportunities for offenders to gain computer skills needed for increasing literacy levels.

RECOMMENDATION 4: EDUCATIONAL DATA REPORTING

CSC should enhance the timeliness of educational data reporting and ensure that the National OMS procedures are followed when entering educational data into OMS. In addition, CSC should clarify the roles and responsibilities for the assessment of learning disabilities to meet the educational needs of these offenders.

Figure 10. Recommendations from the *Evaluation of CSC's Education Programs and Services* report (Richer et al., 2015, p. xi).



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Unfortunately, there has been a lack of urgency and prioritization in improving access to education and lack of a collective effort to increase the quality of how programs are delivered since the report’s findings and recommendations published as of 2015. This is reinforced by the most recent report from the Office of the Auditor General of Ontario (2019) which emphasizes that they found “little emphasis is placed on delivering programming to remanded inmates, who comprise the majority of the inmate population” (p. 17). The report goes on to further emphasize,

Effectively targeting and delivering programs for inmates held for different periods of time, whether they are in remand or sentenced and whether they are new to the correctional system or repeat offenders, is important toward reducing recidivism. We also found that staff in institutions that we visited did not have a strategy to help inmates contact agencies that would assist them to reintegrate into their communities. (p. 18).

These statistics and findings from various reports outline collectively that education must be a priority within correctional facilities to reduce recidivism and support effective rehabilitation and reintegration of inmates back into the community. There are too many gaps in the system functioning as barriers to creating access to education for those incarcerated. If education is to be a priority, it needs to be supported with funding and resources to implement new changes. This has not been the case given that “in 2015-2016, the Correctional Service of Canada cut their educational spending by 10 percent” (Chan et al., 2017, para. 19).

Organizations Offering Education Program within Facilities in Ontario

In Ontario, two programs are leading the way in creating access to post-secondary education programs for the remand and sentenced population: [Amadeusz](#) and [Walls to Bridges](#). As this report focuses on the Ontario context, an in-depth description of each program is provided in this section outlining an overview of each organization, their history, vision, and goals, and how they deliver their programs. As an extension of exploring how to improve access to education for those incarcerated, particularly with respect to post-secondary education, an overview of some programs in the United States are also discussed.



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Amadeusz

Website: <http://amadeusz.ca/>

Head Office Location: 208 Evans Avenue, Office 117 Etobicoke, Ontario M8Z 1J7

Email: info@amadeusz.ca

Telephone: 416-251-0685

Mission Statement: Amadeusz supports young people who are incarcerated to create positive change in their lives through access to education, community supports, mentorship, and exceptional care.

Vision: Creating a future with equitable access to education and community supports.

Amadeusz is a non-profit organization in Ontario that provides access to education, community supports, mentorship, and exceptional care for young people ages 18 to 35 who are or have been incarcerated. As outlined by Woods et al. (2018), the idea for Amadeusz originated when a group of 6 to 8 young people came together in spaces defined by them as safe such as in apartment building staircases and local housing communities to discuss their experiences, challenges, and needs of living in Toronto's racialized and marginalized communities. Over the years, their frustrations and experience with the intersection of violence, incarceration, and tragedy turned into a desire to make a difference. The youth organized themselves into a formal group and with the support of the Executive Director of a local non-profit community agency Amadeusz as an organization was formulated and established in 2009.

In the early years, the most important issue for Amadeusz as an organization was mitigating minimal opportunities for young people in remand to access education. Amadeusz envisioned that formal educational attainment such as gaining a high school diploma or its equivalent would lead to positive change for the individual while incarcerated and post release as part of reintegration and resettlement back into the community. Amadeusz submitted a funding application which was approved for the implementation of a 6-month pilot education program in partnership with a detention centre in Toronto. The project was a success and Amadeusz continued to grow over time to become an incorporated non-profit organization offering various programs and services centered around creating equitable access to education, community supports, mentorship and care for people in remanded custody.

Currently, Amadeusz facilitates educational programs for youth aged 18 to 35 who are incarcerated at the Toronto South Detention Centre, the Toronto East Detention Centre, and the Vanier Centre for Women. They are actively looking to expand their programming into other facilities to further make education accessible to those incarcerated. They have a long waiting list of participants who have expressed interest to enroll to their programs and services. The goal of Amadeusz educational programs is to provide young people who are in detention with the



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opportunity, resources, and support to complete their high school education and to further pursue post-secondary education. Amadeusz is the only organization in Ontario that provides two streams of educational programs for those incarcerated as part of the remand population: supporting both completion of courses to earn a high school diploma or its equivalent and offering post-secondary courses.

In 2018, Amadeusz expanded to provide a service called *Prosper* which provides intensive case management and peer support for young people with firearm related charges. *Prosper* coordinates existing systems to support the transition of those incarcerated back into the community with the objective to reduce their involvement in future violence and crime. Below are visuals which provide a historical overview of the growth of Amadeusz as outlined in their annual report (2020):

2006

- Amadeusz identifies need for education in remand facilities.



2009

- Amadeusz creates partnership with Toronto West Detention Centre.
- Amadeusz receives City of Toronto Youth Worker of the Year Award.

2010

- Summer camp operates in Roy McMurry Youth Centre.

2011



- Education program begins at Toronto Jail and Toronto East Detention Centre.
- First GED exam at Toronto West Detention Centre.
- Services expand to include post-secondary programming.

2012

- Amadeusz receives Toronto Community Foundation's Vital Ideas Award, CUI's Urban Leadership Award for Safety and Resilience in Canada, & City of Toronto Youth Worker of the Year Award.
- Education program begins at Vanier.

2013

- Amadeusz hosts discussion focusing on policy issues with over 200 attendees.
- Amadeusz develops partnership with Centennial College.



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2014

- Amadeusz develops partnership with Northern College.
- Education program begins at Toronto South Detention Centre.
- "Look at my Life: Access to Education for the Remand Population in Ontario" is published.



2015

- Amadeusz develops partnership with Thompson-Rivers University.

2016

- Amadeusz partners with Humber College, Laidlaw Foundation, and the Toronto Youth Equity Strategy to conduct research on sparks for firearm possession.

2018



- "Look at My Life: 'Sparks' for Firearm Possession Among Young People in Toronto" is released, and Prosper is launched.
- "Responding to Neoliberalism: The Case of the Look at my Life Project." is published.

2019

- Amadeusz partners with students at University of Guelph-Humber to complete The Quiet Storm.
- Two academic papers are completed, to be published in 2020.

2020

- Amadeusz applies for charitable status.
- Amadeusz continues to launch innovative initiatives.

Below is a step-by-step guide for how the educational programs are implemented within correctional facilities from identification and program placement to evaluation and discharge:

1) *Referral*: Program participants are mainly identified through a self-referral process by putting in a request to speak with Amadeusz. Individuals can also be referred by those working within the institution, including but not limited to, correctional officers, volunteer coordinators, social workers, psychiatrists, community partners and members of the Amadeusz staff team.



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2) *Intake/Assessment*: A program facilitator meets with the referred individual to determine program eligibility. If eligible for any of the programs, an intake and educational assessment is conducted to determine the participant's educational goals. If ineligible, the program facilitator will refer the individual to other available services, whenever possible.

3) *Programming*: Based on the educational assessment and program eligibility criteria, the participant is placed in one or more of the following programs:

- High school correspondence credits towards obtaining a Ontario Secondary School Diploma (OSSD)
- General Education Diploma (GED) preparation and examination- provides support in working through GED-specific content to prepare participants to write the GED exam and obtain their high school equivalency certificate. Amadeusz, in partnership with the Independent Learning Centre, runs GED examination sessions multiple times a year at each institution.
- Post-secondary courses- through partnerships with Centennial College, Northern College, and Thompson Rivers University participants work towards college certificates or complete courses that can be transferred to their pre-existing post-secondary education through print-based courses.
- Career exploration
- Post-release referrals

Program Eligibility:

High School Stream: 18 to 35 years old and not yet completed high school

Post Secondary Stream: Previously completed high school, either by obtaining their OSSD or GED certificate

4) *Evaluation*: Ongoing feedback from participants, program facilitators, and volunteer coordinators.

5) *Discharge*: When a participant is released or transferred from the institution, program facilitators will do their best to ensure continued support for the participant in meeting their educational goals. Files are closed when appropriate.

Overall, through Amadeusz educational programming, there has been 173 GED graduates with an average amount of 19 graduates per year. 12 participants in total have earned their OSSD and 167 post-secondary courses have been completed with an average number of 18 post-secondary courses completed per year.



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53 people have been supported through the Amadeusz *Prosper* program. Prosper caseworkers have adapted to continue providing support to those incarcerated during the COVID-19 pandemic. They each have a direct toll-free number that their participants can call to speak to. In addition, the City of Toronto in collaboration with Amadeusz, created a Peer Support Phone line that is operating out of the Toronto South Detention Centre. The phone line runs for 6 hours a week and is managed by 2 peer mentors who have lived experiences with incarceration themselves. Prosper caseworkers have continued to establish strong relationships with probation and parole officers, lawyers, and institutional staff and various jails to support those incarcerated.

Most recently in December 2020, Amadeusz launched a podcast called *Off the Record* as part of advocacy efforts to bring attention to inaccessibility to education while incarcerated. The podcast is hosted by Amadeusz peer mentors, two young men who have previously been incarcerated themselves and have participated in Amadeusz educational programs. They are determined to have tough conversations about their past and current lived experiences. The podcast engages in authentic critical discussions and shares views on personal, social, and systemic issues ranging from gun violence to the effects of COVID-19 in jails. Each episode includes a track from a local Toronto artist. The podcast can be accessed via the following link: <https://amadeusz.ca/off-the-record/>

Walls to Bridges (W2B)

Website: <http://wallstobridges.ca/>

Email: wallstobridges@wlu.ca

Contact Person: Dr. Shoshana Pollack, Professor and Director of Walls to Bridges
spollack@wlu.ca

Walls to Bridges (W2B) is an innovative educational program that brings together incarcerated (“Inside”) and non-incarcerated (“Outside”) students to study post-secondary courses in jails and prisons across Canada. The National Hub for the program is based out of the Lyle S. Hallman Faculty of Social Work at Wilfrid Laurier University in partnership with Grand Valley Institution for Women in Kitchener.

Mission Statement: We create educational opportunities in correctional settings where the experiences of teaching and (un)learning challenge assumptions, stigmatization and inequality.



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Values:

- We believe in building bridges and solidarity with those who are incarcerated and/or criminalized and those who are not.
- We foster integrative learning, involving the whole self; mind, spirit, body and emotions.
- We value the wisdom that comes from lived experience, as well as other sources of learning and knowledge.
- We aim to create collaborative spaces where critical analysis, dialogue and self-reflection can open up new insights and dismantle preconceptions.

Walls to Bridges (W2B) provides access to education through a collective experience bringing together incarcerated (“Inside”) and non-incarcerated (“Outside”) students led by a trained facilitator to complete a post-secondary course. Walls to Bridges creates opportunities to understand complexities of criminalization and punishment through reflection on lived experiences via an intersectional analysis. W2B classes are credit courses offered through universities and colleges and taught within correctional settings. All students who successfully complete the course receive a university/college credit. An important principle of W2B courses is that students from outside the correctional system are not ‘mentoring’ or ‘helping’ or ‘working with’ incarcerated/criminalized students. Rather, all participants in the class are peers, learning the class content together through innovative, experiential and dialogical pedagogies.

W2B was founded based on inspiration from the Inside-Out Prison Exchange Program in the United States. W2B began in 2011 under the name Inside-Out Canada, and in 2014 was established as its own autonomous Canadian based program. In 2012, due to the generous support of the Lyle S. Hallman Foundation, the national W2B Hub was established within the Faculty of Social Work at Wilfrid Laurier University in Kitchener, Ontario. The first course at Wilfrid Laurier was offered with partnership with Grand Valley Institution for Women led by Dr. Shoshana Pollack. This was a pivotal moment in the Walls to Bridges story, as students from this course, which included both incarcerated students and Master of Social Work, formed a ‘collective’ after the course was over.

Within one year of meeting regularly, the W2B Collective established the National W2B Instructor Training Institute. The institute hosts a five-day training for university, college, and community educators each summer reinforcing their dialogical pedagogies to teach others how to effectively facilitate W2B programs in other communities and jurisdictions characterized by collaborative discussion, decision-making, and sharing of work. Trainings take place predominately at Grand Valley Institution for Women in Kitchener, Ontario and is led by incarcerated and non-incarcerated alumni of W2B classes and W2B instructors. Participants are asked to engage in holistic learning involving mind, body, spirit, and emotions. Within this framework, participants:



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- Learn how to develop partnerships between educational and correctional institutions.
- Learn experiential activities such as applied theatre and circle pedagogies to explore course content and develop curriculum.
- Understand the unique dynamics of a W2B classroom
- Learn how to ‘facilitate’ versus ‘instruct’
- Experience a collaborative learning community within a prison setting.

Overall, W2B programs have expanded to be offered through partnerships with other post-secondary institutions including Centennial College and University of Ottawa. To date, 106 instructors from Canada and Europe have been trained in the W2B teaching model, leading to the expansion of W2B education to ten Canadian correctional facilities and universities.

Below are details of the most recent courses offered by W2B in Winter 2020 including the course name, the instructor, and the post-secondary institution and the correctional facility that offered the course. A more comprehensive list of courses offered can be found on the W2B website.

Location: Warkworth Correctional Institution, Warkworth, ON

Course Name: Resiliency in Society: The Bridges and Barriers

Instructor: Dale Burt, School of Justice & Emergency Services, Durham College, Oshawa, ON

Location: Edmonton Institution for Women (EIFW), Edmonton, Alberta

Course Name: Indigenous Women, Autobiography, and Life Writing WGS280

Instructor(s): Tracy Bear and Allison Sivak Native Studies/ Arts, Women’s and Gender Studies, University of Alberta, Edmonton, Alberta

Location: Ottawa Carleton Detention Center, Ottawa, ON

Course Name: Othering and Criminal Justice

Instructor: Dr. Jennifer Kilty, Department of Criminology, University of Ottawa, Ottawa, ON

Location: Grand Valley Institution for Women, Kitchener, ON

Course Name: Law and Society: International Perspectives [Global Justice], LY306

Instructor: Marcia Oliver, Law and Society, Wilfrid Laurier University, Brantford Campus, Brantford, ON



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Director of Walls to Bridges, Dr. Shoshana Pollack, in her 2019 article *Transformative Praxis with Incarcerated Women: Collaboration, Leadership, and Voice* explains in detail the philosophy and approach behind the delivery of W2B courses:

Students and instructors in W2B classes are considered both teachers and learners who have intellectual, experiential, and emotional knowledge important for the exploration of course content. Similar to the Inside-Out Prison Exchange Program in the United States, the instructor of a W2B class is considered a facilitator of the learning process- she or he does not lecture but through a variety of teaching techniques holds the space in which students can explore complex and challenging ideas from a variety of perspectives, lived experiences, and contexts. The Canadian W2B program has been influenced by Indigenous Elders and Indigenous scholars such as Dr. Priscilla Settee, Larry Morrison, Gayle Cyr, and Dr. Kathy Absolon, all of whom participated in circles with W2B collective members and provided teachings on Indigenous ways of knowing. The use of learning circles, in which participants take turns speaking while others reflectively listen, is integral to Indigenous ways of learning and healing. Participants are encouraged to listen openly and reflectively to the perspectives of others and to their own inner dialogue. In W2B classes, this fosters a classroom climate that values different perspectives and supports an understanding of self as situated within the contexts of gender, race, class, culture, sexual orientation, and additional forms of othering. (pp. 6-7)

Amadeusz and Walls to Bridges continue to be the main two organizations in Ontario offering post-secondary educational programs within various correctional facilities to those who are incarcerated.

Ontario Organizations Offering Programs to Incarcerated Individuals Post-Release

It is important to note there are many great organizations which support adults who were incarcerated post-release to facilitate with their rehabilitation and reintegration back into the community. Below are names and websites of some of these organizations which provide socio-culturally relevant and responsive programs and services to those who were incarcerated. They play a key role in reducing recidivism and providing mediums and platforms for those who were incarcerated to heal from their traumatic experiences and work towards accessing opportunities to express themselves and improve their living conditions and circumstances.



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Think2wice: <https://think2.org/about/>

Think 2wice is an organization that provides culturally sensitive, trauma informed, non-traditional arts based initiatives to incarcerated individuals as well as young people who are gun or gang involved world wide. Founded in 2006 in Toronto, Canada, Think 2wice aims to reduce gun violence while assisting individuals to unlearn negative behaviours and think twice. Think 2wice assists in eliminating the impact of inequality and social injustice amongst racialized young people in the criminal justice system. They provide services and supports to Black and racialized individuals and communities, many of whom are incarcerated and reintegrating back into the community. In working with victims and perpetrators of violence, trauma and grief, Think 2wice provides therapeutic supports through workshops, participatory programming, music, theater, film, story sharing and spirituality. With approximately 20 partners, they have provided various initiatives and supports within 8 federal institutions.

The Forgiveness Project: <https://www.theforgivenessproject.com/our-purpose/>

The Forgiveness Project collects and shares stories from both victims/survivors and perpetrators of crime and conflict who have rebuilt their lives following hurt and trauma. Founded in 2004 by journalist, Marina Cantacuzino, The Forgiveness Project provides resources and experiences to help people examine and overcome their own unresolved grievances. The testimonies they collect bear witness to the resilience of the human spirit and act as a powerful antidote to narratives of hate and dehumanisation, presenting alternatives to cycles of conflict, violence, crime and injustice. At the heart of The Forgiveness Project is an understanding that restorative narratives have the power to transform lives; not only supporting people to deal with issues in their own lives, but also building a climate of tolerance, resilience, hope and empathy. This idea informs their work across multiple platforms – in publications and educational resources, through the international F Word exhibition, in public conversations, bespoke storytelling course and their award-winning [RESTORE prison programme](#).

Braids for Aids- Young Men’s Prison Project: <https://braidsforaids.com/programs/>

Roy McMurtry Project is a project to engage young men in detention in conversations around HIV/AIDS and sexual health while they get their hair braided. This is a completely volunteer based program. This program has been very beneficial in informing the organization about youth trends and how to work best with young men.



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Delta Family Resource Centre: <https://dfrc.ca/newsite2/about-us/>

Delta Family Resource Centre is a grassroots, non-profit, community-based agency committed to enhancing the potential of families and children by supporting and addressing identified needs. Providing a wide range of programs, services and activities that enhance individual skills and promotes well-being and healthy communities, Delta is known for strength in effective outreach, collaboration and strong program which meet identified community needs.

Overall, this is not an exhaustive list of organizations that offer holistic services to support those who are/were incarcerated. It is highly recommended for the provincial government to compile a list of relevant organization or create a website as a central hub to outline the various services organizations offer and their criteria for participation in such programs and services. This will assist those who have been incarcerated to find relevant services to support their unique needs and circumstances and to reintegrate more effectively back into the community. This would help in mitigating the systemic barrier most ex-incarcerated people experience which involves navigating the day-to-day realities of the world after being excluded from social and community life for a long period due to isolation.

Learning Lessons from Models and Programs in the United States:
The Laughing Gull Foundation

Of particular interest to Ontario and Canada should be the [Laughing Gull Foundation](https://www.laughinggull.org/higher-education-in-prison) which operates out of the United States as a national funding organization advocating for greater access to educational programs and services for those incarcerated as part of their “Higher Education in Prison” branch launched in 2015. This program aims to increase access to credit-bearing college courses for incarcerated students. The foundation funds various grassroots organizations and community agencies on an annual basis engaged in direct service, organizing, advocacy, and/or culture change work to increase access to education for those incarcerated. This is something that should be replicated in Ontario and on a larger scale in Canada to prioritize access to education as part of supporting the goal of rehabilitation and effective reintegration back into community.

Website: <https://www.laughinggull.org/higher-education-in-prison>

Vision: We envision healthy and sustainable communities where everyone can be their whole selves and live in balance with the earth. We envision a world in which everyone is supported, included, embraced, and protected, especially those who have been pushed to the margins of our human family. We envision a day when both human rights and human rites of passage include everyone equally and fully.



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Mission: Laughing Gull Foundation leverages our resources to transform systems, institutions, and relationships for the benefit of people and the planet. Our mission is to honor our family's evolving identity while proactively addressing broken systems that have created inequality and harmed our planet.

Recently, in November 2020, the Laughing Gull Foundation published a press release outlining how \$1.3 million dollars in funding is being distributed to various organizations that offer programs and services for incarcerated students and returning citizens (Laughing Gull Foundation, 2020). The press release goes on to name the organizations, including their website, and the type of programs that are offered.

By clicking each of the programs below, you can learn more about how they are enacted given different laws and policies within each state in which they are offered:

[Alabama Prison Arts + Education Project](#). (Alabama)
[Alliance for Higher Education in Prison](#). (National)
[Claflin University Pathways from Prison Program](#). (Orangeburg, SC)
[College & Community Fellowship](#). (National)
[The Education Trust](#). (Washington, DC)
[Florida Prison Education Project](#)@University of Central Florida. (Orlando, FL)
[GA State University Prison Education Project](#). (Atlanta, GA)
[Guilford College Wisser Justice Program](#). (Greensboro, NC)
[The Chillan Project](#).@Life University.(Marietta, GA)
[Miami-Dade College - Institution for Educational Empowerment](#). (Miami, FL)
[Operation Restoration](#). (New Orleans, LA)
[Prison to College Pipeline Program](#). University of Mississippi. (Oxford, MS)
[Rappahannock Community College Correctional Ed. Program](#). (Warsaw, VA)
Shaw University Reducing Recidivism through Higher Education. (Raleigh, NC)
Southern Higher Education in Prison Collective. (Southern Regional)
[Southside VA Community College Campus Within Walls](#). (Alberta, VA)
[Stetson University Community Education Project](#). (DeLand, FL)
[Tennessee Higher Education Initiative](#). (Nashville, Tennessee)
Tennessee Prison College Coalition. (Tennessee)
[University of North Alabama-Limestone Prison Programming Initiative](#). (Florence, AL)
[UNC Asheville Prison Education Program](#). (Asheville, NC)
[UNC Chapel Hill Correctional Education Program](#). (Chapel Hill, NC)
[University of Utah Research Collaborative on HEP](#). (National)
[Vera Institute of Justice](#). (National)
[The Virginia Foundation for Community College Education](#). (Virginia)
[Warren Wilson College Inside Out Program](#). (Asheville, NC)



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Many of the post-secondary educational programs offered through the organizations outlined above are through correspondence and in partnership with colleges and universities. Many of these programs have their own dedicated section on their institutional website describing the program overview and how it is adapted to support the needs of those learning while incarcerated. This is something that is missing in a Canadian context. In Ontario, and on a larger scale in Canada, there is a lack of information available on institutional websites, if any, about unique prison education programs and/or partnerships. This is an area that requires further funding and resource allocation from all levels of Canadian government. Post-secondary institutions also need to prioritize creating access to education for those incarcerated to contribute to mitigating systemic inequities in society and advancing a social justice stance embedded in their policies and practices.

The Zoukis Consulting Group, led by Christopher Zoukis who earned a degree through completing correspondence post-secondary courses during his 12 years incarcerated, has compiled a comprehensive list of correspondence programs offered by various institutions which covers important aspect such as costs, requirements, and how the program is delivered. You can learn more about the programs they have compiled under the tab “Education for Prisoners” available at: <https://www.prisonerresource.com/correspondence-programs/>

For the purpose of this report, some of the graduate and undergraduate post-secondary programs they outlined are described below, as they offer insights for how new programs can be initiated in a Canadian context with respect to consideration to local contexts, laws, and policies.

Graduate degree programs

- **Adams State University:** At Adams State University you can complete a master’s degree while incarcerated. This is a great program at a school proud to provide all individuals with the opportunity for an education. They have helped thousands of prisoners across the United States.
- **California Miramar University:** California Miramar University also appears willing to work with incarcerated students and with institutional security procedures.
- **California Coast University:** California Coast University offers both master’s and doctorate degrees, a decent payment plan (\$100 per month), high-quality courses, below-average tuition, and a textbook rental program. They are not regionally accredited but their degrees seem to be respected in both the private and government sectors.



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- **University of South Dakota:** The University of South Dakota used to offer a number of regionally accredited master's degrees and one doctorate degree through correspondence. Their tuition rates were at the low end of average, and the school has been around since 1862. However, in 2012 their distance learning programs were converted to online only. In response to many letters received from disappointed incarcerated students, the school planned for a limited paper-based graduate correspondence program (5 courses) to be back in effect by January 2014.

Undergraduate degree programs

- **Adams State University:** Adams State University offers a number of associate and bachelor's degrees, and tuition fees are in the below-average range. In addition, they waive the application fee for incarcerated students. Having a number of incarcerated students currently enrolled, they are accustomed to the restrictions involved with educating prisoners. They offer a free, unofficial credit evaluation service. Whether or not you enroll at Adams State University, you can send them documentation of your prior learning or previously earned credits, and they will tell you how many of those credits qualify for transfer.
- **Louisiana State University:** Louisiana State University does not confer degrees by correspondence but offers individual courses and certificate programs. However, the \$182 fee per credit hour is below average. And since they are regionally accredited, this is a good place to earn maximum credits that will be accepted by a more expensive, degree-granting institution. This could significantly reduce the cost of a degree.
- **Ohio University:** Ohio University is regionally accredited as they have a program specifically tailored for the incarcerated (Ohio University Correctional Education), and they confer both associate and bachelor's degrees. Tuition is in the above-average range, and textbooks and all other fees are included in the flat fee. Ohio University is unusual in allowing a free 4-month extension per course.
- **Rio Salado College:** Rio Salado College offers a program tailored specifically for the incarcerated. They are regionally accredited, offer certificates and associate degrees, and a number of other courses relevant to prisoners. They provide a textbook buy-back program, below-average Tuition, an honors program, and the option of taking accelerated courses.



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- **Thomas Edison State:** Thomas Edison State College, a regionally accredited institution, is unique because it allows you to transfer enough credit hours (120) to earn a degree based solely upon transfer credit. Thomas Edison State College offers a number of credit-transfer and other options for earning a degree without taking courses. Their special examination program awards credit for the ability to pass an exam with previously obtained knowledge. They offer a number of associate and bachelor's degrees at low annual fees (\$5,840 to \$6,720 per year).
- **University of North Carolina:** The University of North Carolina does not have a degree program by correspondence. However, they are regionally accredited and they allow you to take courses from various North Carolina state schools including UNC-Chapel Hill. Their courses earn credits that can be applied to a degree if the student transfers to another school. Of particular interest is that this university was offering courses free to prisoners in North Carolina. They also have a textbook buy-back program.
- **Upper Iowa University:** Upper Iowa University is another exceptional institution. They are regionally accredited and offer a wide range of courses, certificates, associate degrees, and bachelor's degrees.
- **California Coast University:** California Coast University is not regionally accredited. They were recommended earlier for graduate-level studies because there are so few viable graduate programs. However, even though their degrees have been recognized in both the private and government sectors, exercise caution at the undergraduate level. The advantages are the number of associate and bachelor's degrees on offer, a payment plan of \$100 per month, quality courses, below-average tuition rates, and a textbook buy-back program. They also provide a set list of courses you need to take for any given degree to reduce confusion about degree requirements.

The Zoukis Consulting Group also has compiled comprehensive lists of other types of education programs available in the United States including:

- [Religious-oriented college programs](#)
- [Career and vocational courses](#)
- [GED and high school diploma programs](#)
- [Adult Continuing Education \(ACE\) programs](#)
- [Fee-based Bible study programs](#)
- [Free Bible studies](#)
- [In-prison educational programs](#)



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We are suggesting that a similar list be compiled by the federal and provincial government in Canada to allow those incarcerated and their families to support their educational needs and aspirations and to better access information related to costs and criteria for enrollment into post-secondary programs. This will greatly assist in reducing recidivism and helping those incarcerated post-release to reintegrate back into the community and have access to opportunities and careers for upward social mobility.

Furthermore, in the United States, there has been periodically under different administrations the Pell Grants which allowed prisoners to apply for funding to pursue post-secondary education and career training with strict criteria for qualification (U.S. Department of Education, 2015). Currently, there are no grants in Canada similar to the Pell Grants, but such model provides new innovative opportunities to create greater access to education for those incarcerated. For example, grants can be allocated for prisoners set to be released within 3 to 5 years to pursue educational courses with some funding and/or subsidy towards tuition costs. This will save money for the justice sector in the long term, as it is more expensive to incarcerate someone per day than to allocate a modest budget for their education.

Concerns, Findings, and Recommendations

Concerns and Finding #1: There is a lack of information available to the public about education programs offered in correctional facilities, who it is used by, and its outcomes. Information that is currently available via government websites are generic in nature. Access to information is a systemic barrier that disadvantages families of those who have a member incarcerated as well as those who are released and are seeking relevant programs and services to better themselves and their living circumstances.

Recommendations: Whereas information about some programs are outlined in various reports, there needs to a tab or a central hub on Correctional Service of Canada's website, that provides a holistic compiled list of information about the various educational programs offered, which organizations offer programs via partnerships, the scope and duration of each program, which institutions it is offered within, and criteria for participation. Collection and sharing of race-based data is also recommended by each institution in terms of who gets approved for such programs, rate of success in completion of the program, and barriers in delivery and enactment of the programs. Chan et al. (2017) emphasize that they had to compile information from various sources on different platforms to create their infographics. They further state,



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Information about prisons in Canada is extremely difficult to access. Although the data presented in this piece was entirely taken from public reports, academic research, and news articles, the information was often buried in tables, long documents, and technical terminology. What we encountered, again and again, was that the information did not exist—in public data sets or in the media. (para. 33)

A focus on access to information via a central hub with user-friendly language for the public will educate the public about the challenges and barriers involved in delivering educational programs within correctional facilities and assist them in accessing opportunities that are available. It will also help create new partnerships with relevant organizations and community agencies to assist in increasing the quality and overall access to education to promote rehabilitation and integration of incarcerated individuals back into the community.

It is highly recommended for the provincial government to also compile a list of organizations that offer relevant post-release programs and services to those incarcerated. This comprehensive list should outline the various programs available and the criteria and cost for participation in such programs and services. This will assist those who have been incarcerated and their families to find relevant services to support their unique needs and circumstances to more effectively reintegrate back into the community and become independent. One of the systemic barriers that most ex-incarcerated people experience is navigating the realities of the day-to-day social world after being excluded from community life for a long period due to isolation that is so intrinsic to jail subculture. These recommendations will help mitigate the systemic barrier of access to information both while incarcerated and post-release.

Concerns and Finding #2: Access to education needs to be more of a priority, supported with funding and resources, to promote rehabilitation and effective reintegration back into the community. This will lead to savings for the justice system as it “costs Correctional Service Canada an average of \$111,202 annually to incarcerate one man (and twice as much to incarcerate one woman), with only \$2950 of that money spent on education per prisoner” (Chan et al., 2017, para. 16). Currently, the type of programs offered are limited, there is a lack of capacity within institutions to meet educational demands, programs offered lack quality due to restrictions imposed in how it can be delivered, and overall there is a lack of partnerships with post-secondary institutions to offer education in prison. Majority of the educational programs offered are high school diploma focused or do not take into consideration unique needs and circumstances of those incarcerated such as limited access to learning tools and platforms.



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Recommendations: It is recommended to create a national funding organization, similar to the Laughing Gull Foundation in the United States which has a unique branch focusing on “Higher Education in Prison”, that annually reviews proposals for programs and partnerships to improve access to education for those incarcerated. A committee should be created with representatives from various stakeholders to assess the applications based on clear criteria outlined and communicated in advance to the public. This will allow for innovative ideas, programs, and partnerships to be presented, assessed, approved, and initiated to meet the demands of access to education within prisons, jails, and correctional facilities. Overall, more funding and resources needs to be allocated for education, and the government needs to provide incentives for universities to create post-secondary educational programs for those incarcerated. It is also recommended that a national list is created outlining various educational programs offered by universities and important factors such as criteria for getting in, costs, duration of the program, and how courses are delivered. The creation of a national and/or provincial government branch dedicated to “Higher Education in Prison” will centre the goal of rehabilitation, reduce long-term costs affiliated with keeping people incarcerated, and lead to more effective reintegration of those incarcerated back into the community. Such level of commitment from the government in making access to education a priority with incentives for post-secondary educations to create and maintain partnerships will lead to innovative policies and practices that will modernize how education is offered given the limitations affiliated with delivering programming in jail settings. This multi-layer collaborative approach will allow relevant non-profit and community organizations to enter innovative partnerships with post-secondary institutions to facilitate delivery of programming that is socio-culturally relevant and responsive to the needs of those incarcerated.

Also, it is highly recommended that selective grants are created by the Canadian government for those incarcerated to gain further access to educational opportunities. This can have similar attributes and characteristics to the Pell Grants in the United States, but it needs to give consideration for local and national needs in Canada instead of being a copy and paste approach. This can be initiated as a pilot project over a two to five year period, as it is important to collect data to see the results and analyze the outcomes over time. In Ontario, this can be incorporated as part of the Ontario Students Assistance Program (OSAP) which includes grants and loans to pursue post-secondary education.

Overall, the various levels of government must provide incentives for post-secondary institutions to provide alternative or adapted educational programs to ensure access to education is increased and prioritized. In programs where there are opportunities for collaboration between students who are incarcerated and who are not, similar to the Walls to Bridges program, it is beneficial for students to learn and share their lived experiences and grow as a community of learners. The benefits are beyond simply impacting those who are incarcerated as it also provides experiential learning opportunities for those not incarcerated by examining the complexities and nuances in understanding equity and social justice issues from a micro and macro perspective.



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Concerns and Finding #3: There is a need to modernize policies, practices, and processes involved at various levels within jails, prisons, and correctional facilities to create more opportunities for access to quality education. This involves creating a unique intake assessment for the remand population similar for those sentenced, improving the processes involved within intake assessment for those sentenced, more effective data collection and sharing across institutions, and more resources and space allocated for educational programs. This would contribute to an increase in educational opportunities available to meet demand, increase in attendance for programs with low enrollment, and overall raise the quality and consistency of how educational programs are offered.

Recommendations: Various changes in different areas are recommended as part of modernization to improve access and quality of education for those incarcerated. These include upgrading libraries in terms of space available for teaching and learning, updating the list of books, magazines, and other educational materials available based on interests of those incarcerated, better access to computers, educational tools, and assistive-technology in a manner that is safe for conducting research and completing course assignments, and providing specific training for instructors and staff to more effectively offer educational programs. All facilities should be upgraded so they are enabled to use video conferencing which would lead to creation and more access to educational opportunities and course offerings. This can also be supplemented by allocating more time for trained and certified instructors and staff to engage with in-person teaching supported by the facility.

Recommendations from the *Evaluation of CSC's Education Programs and Services* (2015) are relevant and should be reviewed (see page 31). Also, George et al. (2014) made a series of recommendations in 2014 in *Look at my Life: Access to Education for the Remand Population in Ontario* which are still relevant and should be reviewed for implementation as part of modernizing. Access to technological resources to teach and learn is critical as currently almost all post-secondary courses offered to those incarcerated is paper-based correspondence which can be very limiting in terms of how fast the person is able to engage with the material and receive timely feedback about their work and assignments. At all levels there is room for improvement in digitalizing how information is shared to facilitate transition in cases where those incarcerated are transferred to another facility or re-enter a correctional facility due to separate charges.

A great resource with detailed recommendations for how to make improvements in teaching and learning conditions within prisons is a 44-page report by Erzen et al. (2019) titled *Equity and Excellence in Practice: A Guide for Higher Education in Prison*. The report identifies seven core content areas to promote equity and excellence for higher education in prison. These areas include program design, partnerships and collaborations, faculty recruitment, training, and supervision, curriculum, pedagogy, instructional resources, and student advising and support



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services. Improvements and adaptations in these areas, with consideration for unique needs of those incarcerated and their limited access to tools and resources to learn, will contribute to creating greater access to education and higher quality programming in a manner that is equitable and promotes the long-term vision of rehabilitation and effective reintegration back into the community. As the report by Erzen et al. (2019) suggests under academic support services, “It is essential that higher education in prison programs maintain a holistic approach that includes mentorship, tutoring, advising and the provision of the myriad “soft” skills that students need to succeed academically” (p. 34).

Summary and Conclusion- Where Do We Go From Here?

Although many people perceive those incarcerated from a deficit lens (Portelli & Sharma, 2014), often blaming them for their circumstances, it is important to emphasize that majority of people incarcerated in Ontario, and on a larger scale in Canada, are part of the remand population, meaning they are legally innocent and temporarily incarcerated as part of pre-trial detention (Correctional Services Program, 2017). It is important to ensure those who are incarcerated have access to education which is their human right as outlined in Article 26 of the United Nations Universal Declaration of Human Rights. Currently, this is not the case in Ontario as access to education is not treated as a priority often lacking resources and funding and instead punitive measures such as lockdowns and solitary confinement are used as common practices to manage day to day realities and escalating situations within prisons and jails (Office of the Auditor General of Ontario, 2019; Sapers et al., 2018). These practices are reactive in their approach and often have harmful short and long-term impacts on those incarcerated. More importantly, these practices do not align with the long-term goal of rehabilitation and promotion of effective reintegration of those incarcerated back into the community.

Overall, access to post-secondary education for those incarcerated remains limited and an under-developed sector in Canada. Organizations such as Amadeusz and Walls to Bridges are leading the way in Ontario, but more funding and resources needs to be allocated to them to expand their programming as there is a demand for it. A holistic approach involving synergetic partnerships and collaborations with organizations, non-profits, agencies, and post-secondary organizations are required to revamp the system and prioritize education at the core of its practices at all levels, as education is the most significant protective factor in reducing recidivism. As Erzen et al. (2019) emphasize,

The enormous challenges facing the field of higher education in prison—the lack of oversight and accountability within the prison setting; the complex needs of students; and the material scarcity that pervades the field—are all microcosms of the most broken and vulnerable edges of the society as a whole. Yet while expanding access to excellent educational programs in prisons presents formidable challenges, it also provides an



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extraordinary opportunity to overcome inequity at a massive scale and to set an example—both for our own professional communities and for society as a whole. (p. 39)

As we continue to navigate the challenges affiliated with the COVID-19 pandemic, which includes many educational programs being impacted ranging from being put on hold to adapted or offered less consistently, we must take the opportunity to reflect and ask ourselves whether the current system at various level of government and points in the justice system is prioritizing access to education to promote and reinforce the long-term goal of rehabilitation for those incarcerated. This report outlines why the current system is inequitable and unjust, how systemic barriers impact different social groups leading to disparities in outcomes at various levels within the justice system, and why we need to introduce new legislation, policies, and practices to improve and modernize the system with respect to access to education for those incarcerated. New improvements and changes will contribute to reinforcement of rehabilitation which will lead to savings in monetary costs by reducing recidivism and ensuring more effective reintegration of those incarcerated back into the community post-release. The introduction and implementation of such new changes needs to be a collective effort involving all levels of the government and advocacy and allyship from organizations and community members to make it an urgent issue.

We conclude by pointing out that every once in a while recommendations and insights are shared from different reports. In many cases, they advocate for similar recommendations on a systemic level. Let us not continue to shelf these recommendations and recognize we are talking about people's lives and families who are greatly impacted by incarceration. As Paulo Freire (1970) points out in *Pedagogy of the Oppressed*,

Any situation in which "A" objectively exploits "B" or hinders his and her pursuit of self-affirmation as a responsible person is one of oppression. Such a situation in itself constitutes violence, even when sweetened by false generosity, because it interferes with the individual's ontological and historical vocation to be more fully human. (p. 55).

Let us remain open-minded, compassionate, and empathetic with how we view those incarcerated. They should be seen as subjects with spirits and emotions instead of objects to be locked away. We have to be willing to examine issues from multiple perspectives, recognize our blind spots, and challenge deficit thinking rooted in pre-judgement that blames individuals for their circumstances without consideration for systemic factors. If we want to be honest with improving access to education for those incarcerated and quality of such programs, we must move from critique and understanding to taking collective actions in our various roles and positionalities given our respective access to power and privilege. Our legacy as a nation and our humanity as a country depends on this.



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