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# The Fallacy of Life ~

The newsletter of "INFINITY" the Lifers' group of Collins Bay ~~X~~ Oct. 1/86

In this the inaugural edition of "The Fallacy Of Life", we feel a brief explanation of its purpose is in order.

There exists in our country a class of outcasts - the Lifers. This newsletter is intended to serve as a forum for the concerns of the Lifers at Collins Bay Inst. We claim no special distinction and represent no group or association other than ourselves. Our views are our own. Nevertheless, we feel they may bear a special validity. The information and opinions expressed through this letter have been purchased with hard experience, studied observation and time. We are earnest in our belief that we can provide a very real insight into the particular issues and problems facing Lifers throughout Canada.

Specifically, the person serving a life sentence does not fit into any of the so-called rehabilitative programmes. Lifers can be arbitrarily discriminated against on the basis of sentence length without further explanation. Release procedures lack definition and are inequally applied. Halfway houses cannot be found. And in the case of those facing 25 year eligibility, no process for the Judicial 15 year review has as yet been developed for the province of Ontario. These and other pressing issues must be dealt with if society is truly dedicated to correction and not merely punishment.

We wish to reach those who are not fully aware of the reality of life imprisonment. By exposing them to our experience, perhaps we can debunk public preconception and the damaging misrepresentation so often presented through the media. Our positions are not founded on baseless claims: the resource material exists in abundance. Unfortunately too many people uncritically accept the bald assertions of a biased minority. If we can influence even a few to examine the facts for themselves it would be a step in the right direction.

We will respond directly to articles in the press which raise issues we feel must be addressed.

Lastly, there are those who are enlightened as to the inequities of the system and our precarious situation within it. Yet, these same seem at times unable to accept the serious nature of our predicament. By confronting them with our position, clearly and rationally stated, a spirit of cooperation might be initiated. It is the Lifers' hope that any barriers to understanding you may have will be more easily overcome.

- The Editors

## Good Time, Earned Remission

As a Lifer, I am ineligible to earn "good time". Nevertheless, all the rules, guidelines and stipulations which play a part in the determination and dispensation of earned remission apply as fully to me as to any fixed sentence prisoner. We share the same environment but because of my sentence I do not qualify for equal consideration in sentence computation. I believe this to be a basic injustice.

The Charter of Rights is intended to guarantee equal treatment for all Canadians. Some would argue that the lawfully incarcerated are excepted from full protection of the Charter; that our rights should not be compared with those of the public at large.

Not wishing to address this larger question at present, I intend to make the case that persons serving life sentences have a right to treatment equal to that accorded other prisoners within the same system. Under the general umbrella of Inmates Rights, the privileges available to others should be accessible to us and if not, then the stipulations of our incarceration should be different as well. The criteria and conditions under which we work, are judged by disciplinary boards, received transfers and even the terms regulating cell effects should be adjusted to accommodate our variant situations. Exclusion from earned remission is perhaps the most glaring example of inequality and as such is the theme of this article.

Release problems are common to all Lifers and as an example, the difficulties inherent in my sentence are no exception. At present I am serving a life sentence with a twenty-five year minimum parole eligibility. There is, however, the possibility of a sentence review after having served fifteen years. Not much to work on. It's quite understandable why so many have given up on serving this ridiculous, inhumane sentence. But I am happy to say that many more are accomplishing this nearly impossible task and are taking advantage of what few avenues are available to them in order to gain their freedom.

Good time, from an ethical perspective, is of little concern to many as they feel we have no moral scruples or value and therefore deserve no such consideration. That is an opinion I strongly disagree with. But from a practical standpoint, the unacceptable numbers of men and women who are forced to live with this catastrophic sentence are expected by society to adjust. And they are capable of doing so, if given a chance.

In and of itself, the denial of earned remission on the grounds of sentence length is illegal - Canadian Bill of Rights [Part 1, 1960, section 1(b)]. A life sentence is a long time and if society demands we serve it in a constructive fashion it is obvious and necessary that Lifers be given assistance in the form of realistic long term programmes of self-betterment. Sadly, there is very little available. What has been accomplished thus far has been by the concerted will of individuals struggling against the embittering forces of discrimination and with very little hope for release.

To combat this, Earned Remission could be a significant rehabilitative process allowing a person to earn an earlier release. But, it would not come automatically. Any release must remain under the jurisdiction of the National Parole Service.

At this point I will use my sentence as an example of how good time could be calculated and in so doing, highlight some of the benefits of such a program.

Earned remission would allow me to apply for parole after serving two-thirds of my sentence. From twenty-five, it would be reduced to eighteen years. Still a long and potentially damaging period of time. More importantly, rather than a review after 15 years, this would be available after 10. Again, this early review would be a privilege to be earned and granted at the discretion of the Correction Service of Canada.

As mentioned earlier, moral issues are rarely of central importance to those in power. Admittedly, most decisions must be made primarily on financial grounds. With this in mind, we can move from a discussion of the practical and moral incentive we seek to the monetary motivation implicit in government policy.

There is always a public outcry at the costs of incarceration. It is estimated that \$50,000 per year in tax payers money is needed to keep a single person locked up. Certainly an expensive solution to dealing with crime. If earned remission was made available to Lifers, there would obviously be significant savings. For instance, seven years on earned remission translates into a saving of \$350,000. That would be

on my sentence alone.

As of 1983 there were 1275 people serving life sentences in Canada with parole eligibilities ranging from 10 to 25 years. At \$355,000 per 7 years for each of the 323 twenty-five year life sentences, the total comes to \$113,050,000. Further to this, for every person serving a 10 year minimum, a saving of roughly \$150,000 (for 3 years remission earned) would be accomplished. Compounded, this makes quite a sum.

The government claims to be seeking new ways of cutting back on spending. Sadly, many beneficial programmes have been cancelled in order to accomplish this. I believe extending earned remission to Lifers would be a sensible alternative to cut backs. But let me reaffirm the central issue. "Good time" would serve to allow a person to earn his freedom at an earlier date. It would also allow for hope in the future and a renewed respect for society and its mechanisms. Surely this is rehabilitative and at the very heart of "Corrections"; a benefit to society as a whole.

If we are expected to believe in, respect and return to a fair and honourable society, one that chooses to abide by the Charter of Rights, then I suggest that we be given the opportunity to achieve the equality so fervently expressed in that Charter. Let us all obey the law as legislated.

- Ron Dube

Upcoming issues of "The Fallacy of Life" will discuss such topics as halfway houses for longterm offenders, the 15 year judicial review and capital punishment.

"The banquet halls of hatred are always open, and the soil is never so exhausted that the dead wood of the gallows fails to rise from it."

- Albert Camus  
from State of Siege.