



Prisoners' Legal Services

A Project of the West Coast Prison Justice Society

Select Standing Committee on Finance and Government Services Budget 2026 Consultation June 19, 2025

Prisoners' Legal Services provides legal support to people in federal and provincial prisons across BC around the liberty deprivations and human rights abuses they face in custody. We help approximately 1,000 people per year, and have a unique window into the experiences of people in custody.

Recommendation 1: Address the mass incarceration of Indigenous people by fully implementing the BC First Nations Justice Strategy, including Strategy 14 (Expanding Culturally-Based Programming in BC Corrections) and Strategy 15 (Growing Community Justice Programs).

The BC First Nations Justice Strategy,¹ signed in 2020 by the BC government, commits to transforming the relationship between the legal system and Indigenous Peoples. However, the Province has failed to invest in key strategies that would address the mass incarceration of Indigenous people in the Province.

When the Strategy was signed, Indigenous people made up 36% percent of the population in BC Corrections ("BCC") custody,² but only 5.9% of the BC population.³ As of 2024, Indigenous people make up 37% of the BC prison population⁴ – meaning this disproportionality has *increased* since the Strategy was signed five years ago.

¹ <https://bcfnjc.com/justice-strategy/>

² British Columbia Ministry of Public Safety and Solicitor General, "Dashboard: Adult Custody Statistics" ["Dashboard"], online at <https://app.powerbi.com/view?r=eyJrIjoiNzE2ZmM5MTMtN2U5ZC00ZGQ1LTk4YWUtY2UwNDdiYWI5NTQyIiwidCI6IjZmZGI1MjAwLTNkMGQtNGE4YS1iMDM2LWQzNjg1ZTM1OWFkYyJ9&pageName=ReportSection69506dda63e5b4460c64>.

³ "Focus on Geography Series, 2021 Census of Population - British Columbia, Province". Online at <https://www12.statcan.gc.ca/census-recensement/2021/as-sa/fogs-spg/page.cfm?lang=E&topic=8&dguid=2021A000259>.

⁴ Dashboard

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The number of people in custody overall and the average length of stay in custody have also risen between 2020 and 2024.⁵ This does not create safer communities, but instead disconnects people from their families and communities and perpetuates violence and trauma.

Indigenous Peoples have laid out what needs to be done to keep people in the community rather than prison, and BC must advance reconciliation and decolonization by meaningfully implementing these strategies, based on the direction of the BC First Nations Justice Council.

Strategy 14 focuses on creating a network of First Nations corrections alternatives, yet there has been *no* investment by the Province in this strategy to date. Instead of renovating or building new government-run jails, BC should resource Indigenous governments, organizations and communities to create alternatives, consistent with the BC *Declaration on the Rights of Indigenous Peoples Act*.

Strategy 14 also includes expanding culturally-based interventions, programs and healing for people in BCC custody. Our incarcerated Indigenous clients report a shortage of Elders, restrictions on possessing cultural items, and limitations on who can access Indigenous-focused units. Resources should be re-directed from BC Corrections to Indigenous governments, organizations and communities to provide supports to Indigenous people in custody.

Strategy 15, which calls for community justice programs to support the presumption of diversion (Strategy 1), must also receive the resources required for implementation.

Recommendation 2: Eliminate solitary confinement in BC Corrections jails by investing in community infrastructure and community-led supports for people in custody.

It is widely recognized that solitary confinement causes serious psychological harm, and that subjecting people – especially those with pre-existing mental health issues – to solitary exacerbates mental illness and increases the risk of self-harm and suicide.⁶

Despite a major segregation reform project, including expensive infrastructural changes, government data shows isolation in BCC is actually *increasing*. In 2021, 35% of people who spent time in BC Corrections custody (2,497 individuals) spent at least one day in separate confinement. In 2024, that percentage rose to more than 50% (4,074 individuals).⁷ This is an alarming increase.

⁵ Dashboard

⁶ Haney C. (2018). "The psychological effects of solitary confinement: A systematic critique." *Crime and Justice* 47(1).

⁷ Dashboard

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We hear from our clients in segregation that they spend almost all day each day alone, that they rarely have opportunities for meaningful interactions with others, and that time out of cell is often spent alone on the range or in the small concrete enclosed space known as the “yard”. They report that their cells are sometimes contaminated with urine or feces or infested with mice, and that segregation units are loud and lonely.

Conditions of isolation persist in other settings as well, such as through Supported Integration Placements (“SIP”).

Seventy-five percent of people in BCC custody have been identified as having a mental health or substance use issue or both.⁸ People with mental illness are routinely held in isolation, in violation of the UN Mandela Rules—including people being monitored because they are at risk of self-harm or suicide, despite these both being *symptoms* of isolation. The average stay in separate confinement for people with mental health needs is almost three days longer than it is for others (5.9 days compared to 8.7 days in 2024).⁹

People subject to involuntary treatment at the Surrey Pretrial Services Centre are also held in segregation, which is extremely concerning given these are people with the greatest mental health need and psychological vulnerability.

The Province is building a separate unit for forced treatment at Surrey Pretrial, but prisons are not settings where people can receive meaningful mental health treatment or recover. People with this level of mental health need should be diverted from jails entirely.

We urge the Province to keep people from entering prison in the first place by investing in non-carceral and voluntary community resources – things like safe housing, food, healthcare, jobs, education, and re-entry supports, all of which support overall community safety and are cheaper than incarceration. The Province must also invest in Indigenous-run community justice programs and alternatives to incarceration, and must be guided by the wisdom of people with lived experience of incarceration.

Finally, we urge the Province to eliminate solitary confinement for those who remain in custody by re-directing resources to community and peer-led organizations, especially Indigenous organizations, to provide meaningful ways for people in custody to occupy their time and build connections, such as cultural and educational opportunities, purposeful work, visits with family, health and mental health supports, etc. -- which will have the added benefit of increasing the overall safety of BCC institutions and supporting community reintegration.

⁸ Butler A, Nicholls TN, Samji H, Fabian S, Lavergne, R. (2021). “Prevalence of mental health needs, substance use, and co-occurring disorders among people admitted to prison.” *Psychiatric Services*.

⁹ Dashboard