



Canadian Prison Law Conference: Rights, Remedies & Decarceration October 4-6, 2024



Allard Hall, University of British Columbia
1822 East Mall, Vancouver

Conference Organizing Committee

Debra Parkes (co-chair), Kate Mitchell (co-chair), Nora Demnati,
Nyki Kish, Jennifer Metcalfe and Reakash Walters

Conference Research Assistant: Keegan Nicol

Contact us at: cplaconference@gmail.com

Find out more at: <https://allard.ubc.ca/about-us/events-calendar/canadian-prison-law-conference-rights-remedies-and-decarceration>

The Canadian Prison Law Conference is presented by the Canadian Prison Law Association and the Peter A. Allard School of Law at the University of British Columbia, with support from the Law Foundation of British Columbia.

The UBC Point Grey campus is situated on unceded x^wməθk^wəy^{əm} (Musqueam) territory. The conference organizers acknowledge the harms done to Indigenous people in and through Canadian law and commit to working to reduce those harms and to supporting Indigenous self-determination.



Conference Schedule

Friday, October 4th

All events at Sage Bistro

6331 Crescent Rd, Vancouver, BC

(Five minute walk from Allard Hall)

4:00-4:30: Conference Registration

4:30-5:30: Opening Plenary: Past, Present & Future of Prison Law

Chaired by Senator Kim Pate

Presentation of the Canadian Prison Law Association Lifetime
Achievement Award to Chip O'Connor

Reflections on the history of prison law in Canada – Chip O'Connor
Current context and future of prison law in Canada – Nora Demnati

5:30-7:00: Opening Reception

Appetizers and Cash Bar

Members of [A.R.T. & Justice](#) – a collective of researchers, artists and
community leaders who believe in the power of art to reduce the harms
of the carceral system – will share background on the project and
introduce the pieces of art that will be available for sale throughout the
conference.



Fergus J. (Chip) O'Connor

Lawyer in Ontario whose practice focuses on
prison and criminal law



Nora Demnati

Lawyer in Quebec whose practice focuses on
human rights and prison law





Saturday, October 5th

All events at Allard Hall

8:30-9:00am: Continental Breakfast

Hong Kong Lounge

9:00-10:30am: Abolitionist Legal Strategies

Lew Forum

Keynote address: Amna Akbar

Panelists: Emilie Coyle, Nicole Kief, and Reakash Walters

Panel Facilitator: Debra Parkes

The language of prison abolition is both old and new. It is inspired by the 19th century movement to end enslavement and informed by W. E. B. Du Bois' concept of Abolition Democracy. For prison abolitionists, ending the practice of human caging is a natural and necessary part of achieving racial justice. During this discussion, we will get concrete about the tactics that animate the prison abolitionist movement and learn from advocates who engage these strategies in real time, making connections to law and lawyering.



Amna Akbar

Professor at Ohio State University Moritz College of Law



Emilie Coyle

Executive Director of the Canadian Association of Elizabeth Fry Societies



Nicole Kief

Policy Director and Senior Legal Advocate at Prisoners' Legal Services



Reakash Walters

Lawyer and doctoral student at the UC Berkeley School of Law



Debra Parkes

Professor and Chair in Feminist Legal Studies at the Peter A. Allard School of Law



10:30-11:00am: Refreshment Break

Hong Kong Lounge

11:00am-12:15pm: Human Rights

Lew Forum

Panelists: Jennifer Duncan, Jessica Magonet, Jennifer Metcalfe, and Paul Quick

Panel facilitator: Humera Jabir

This panel will explore human rights mechanisms and standards as tools to tackle systemic prison abuses such as the mass incarceration of Indigenous people and discrimination and abuse against trans and Two-Spirit people, Deaf people, Indigenous people, and people with mental health disabilities in prison. Speakers will explore domestic mechanisms including the Canadian Human Rights Tribunal and medical regulatory colleges, as well as international mechanisms such as the United Nations Mandela Rules, international treaty compliance, and advocacy to UN bodies.



Jennifer Duncan

Lawyer in West Vancouver whose practice focuses on Indigenous Law



Jessica Magonet

Staff lawyer at Prisoners' Legal Services



Jennifer Metcalfe

Executive Director at Prisoners' Legal Services



Paul Quick

Staff lawyer at the Queen's Prison law Clinic



12:15-1:00pm: Lunch Break

Hong Kong Lounge

1:00-2:15pm: Indigenous Self-Determination, Justice & Decarceration

Lew Forum

Panelists: Boyd Peters (Xoyet thet), Andrea Hilland (Asits'amniyaak), and Merv Thomas

Panel Facilitator: Andrea Hilland (Asits'amniyaak)

Indigenous people now represent 33% of people in federal prisons in Canada, with the numbers in prisons designated for women exceeding 50%. The mass incarceration of Indigenous people represents a continuation of Canada's colonial genocide of Indigenous people. Panelists will discuss movements toward decarceration based on self-determination and Indigenous laws, with attention to opportunities for advocacy and solidarity.

2:15-2:30pm: Refreshment Break

Hong Kong Lounge



Boyd Peters (Xoyet thet)

Director of the Sts'ailes Rights and Title Department, President of the Sts'ailes Development Corporation and Vice Chair for BC First Nations Justice Council and Lead on Indigenous Justice Centres & Knowledge Keepers Council, Diversion, Corrections, & Community-Based Justice Programming



Andrea (Asits'amniyaak) Hilland

Assistant Professor at the Peter A. Allard School of Law and Director for BC First Nations Justice Council and Lead on Gladue Services



Merv Thomas

Chief Executive Officer of the Circle of Eagles Lodge Society



2:30-3:45pm: Life Sentences

Lew Forum

Panelists: Yvonne Johnson, Nyki Kish, Sheri Pranteau, and Debra Parkes

Panel Facilitator: Nyki Kish

Nearly 28% of people under federal sentence in Canada have life or indeterminate sentences and it is urgent that we attend to the impacts and particular pathologies of these extreme punishments. Presenters on this panel will focus on life-parole, unpacking the host of repressive conditions that life-sentenced people are perpetually subjected to, some of which are not grounded in law. Bringing together lived experience, qualitative research findings, and critical legal analysis, panelists will problematize life-parole as an invisible but insidious element of the Canadian legal system and raise questions about the legality and constitutionality of the life-parole regime.

3:45-4:00pm: Break

Hong Kong Lounge



Yvonne Johnson

Storyteller, knowledge-keeper and co-author of *Stolen Life: the Journey of a Cree Woman*



Nyki Kish

Associate Executive Director of the Canadian Association of Elizabeth Fry Societies and doctoral student at the University of Victoria



Sheri Pranteau

Community advocate, most recently with the First Peoples' Justice Centre of Montreal



Debra Parkes

Professor and Legal Chair of Feminist Studies at the Peter A. Allard School of Law



4:00-5:45pm: Abolishing Solitary in its Many Forms

Lew Forum

Panelists: Michael Jackson, Kim Pate, Sheila Wildeman, and Jumaane Williams

Panel facilitator: Catherine Latimer

Six years following the first Canadian court decision finding the federal administrative segregation regime unconstitutional, people incarcerated in federal prisons, provincial jails, and other places of detention continue to experience conditions amounting to unconstitutional solitary confinement every day. Speakers on this panel will discuss the myriad ways that isolation continues to be used as a management tool in a range of settings and share efforts to abolish solitary confinement in its many forms – through litigation, legislative change, and other forms of activism. In addition to Canadian experts, we will hear from New York City’s Public Advocate about the work behind the groundbreaking law banning restrictive confinement in city jails, Local Law 42.

Evening

Optional group dinners at local restaurants. Sign-up sheets to be provided for those who would like to dine with other conference attendees.



Michael Jackson

Emeritus Professor of Law at the Peter A. Allard School of Law and lawyer in British Columbia whose practice focuses on prison law and Aboriginal law



Kim Pate

Independent Senator and advocate for the marginalized, victimized, criminalized and institutionalized



Sheila Wildeman

Professor at the Schulich School of Law and Associate Director of Dalhousie’s Health Justice Institute



Jumaane Williams

Public Advocate of the City of New York



Catherine Latimer

Executive Director of the John Howard Society of Canada



Sunday, October 6th

All events at Allard Hall

8:30-9:00am: Continental Breakfast

Hong Kong Lounge

9:00-10:15am: Challenging Anti-Black Racism in Prison & Parole

Lew Forum

Panelists: Norm Demnati, Emma Halpern, Renford Farrier, and Svens Telemaque

Panel Facilitator: Reakash Walters

Systemic racism is not limited to the social factors that contribute to the marginalization and criminalization of Black communities; anti-Black racism is a constitutive force in Canada's criminal legal system. Trial and appellate courts, including the Supreme Court of Canada, have noted that conditions of incarceration are often harsher for racialized prisoners, particularly Indigenous and Black people. Black incarcerated people are more likely to be on the receiving end of force, more likely to be wrongly labelled gang affiliated, less likely to secure favoured employment inside, and less likely to secure parole. Under these conditions, lawyers must be thoughtful and strategic in their advocacy for Black prisoners. This panel will review and develop important tools for race-conscious prisoner legal advocates.



Nora Demnati

Lawyer in Quebec whose practice focuses on human rights and prison law



Emma Halpern

Legal Director at Peoples' Advocacy and Transformational Hub (PATH) and Executive Director of the Elizabeth Fry Society of Mainland Nova Scotia



Renford Farrier

Community advocate and mentor



Svens Telemaque

Community advocate and appointed as cultural advisor at the Parole Board of Canada



Reakash Walters

Lawyer and doctoral student at the UC Berkeley School of Law



10:15-10:45am: Refreshment Break

Hong Kong Lounge

10:45am-12:00pm: Constitutional Rights and Remedial

Possibilities

Lew Forum

Speakers: Kate Mitchell, Donna M. Turko, John Conroy, and Adriel Weaver

Panel Facilitator: Liora Lazarus

While people in prison have a range of constitutional rights, the legal frameworks developed by the courts have often given narrow scope to those rights. This panel will discuss cases pushing constitutional boundaries and explore where the new horizons are in prisoners' rights litigation. Cases discussed will include a constitutional challenge to the sentencing regime for first-degree murder and efforts to expand the scope of *habeas corpus*.

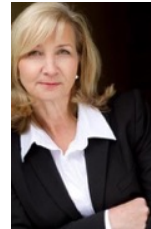
12:00-1:00pm: Lunch Break

Hong Kong Lounge



Kate Mitchell

Lawyer and doctoral candidate at the University of Toronto



Donna M. Turko

Lawyer in British Columbia whose practice focuses on criminal, regulatory, and prison law



John Conroy

Lawyer in British Columbia whose practice focuses on criminal and prison law



Adriel Weaver

Lawyer in Ontario whose practice focuses on public law litigation



Liora Lazarus

Professor at the Peter A. Allard School of Law and a Supernumerary Fellow at Oxford



1:00-3:00pm: Prison Law & Legal Education

Lew Forum

Roundtable participants: Paul Quick (Queen’s), Debra Parkes (UBC), Sheila Wildeman (Dalhousie), Allison Fenske (U Manitoba), Alexandria Bonney & Lydia Dobson (U Ottawa), Amanda Hart-Dowhun & Susan Haas (U Alberta), Jeffrey Kennedy (McGill)

With the recent proliferation of new courses and clinical programs involving prison law at Canadian law schools, this roundtable will provide an opportunity for those teaching and leading these courses and initiatives to share information and strategies, and to promote greater collaboration.

1:00-3:00pm: Strategy Sessions/Workshops

Rooms 122 and 123

This block of time has been reserved for in-person small group strategy sessions and information-sharing to be organized by members of the Canadian Prison Law Association.



Paul Quick
Staff lawyer at the Queen’s Prison Law Clinic



Sheila Wildeman
Professor at the Schulich School of Law and Associate Director of Dalhousie’s Health Justice Institute



Alexandria Bonney
Lawyer and part-time professor at the University of Ottawa



Amanda Hart-Dowhun
Assessment Manager at Legal Aid Alberta and sessional instructor at the University of Alberta



Jeffrey Kennedy
Assistant Professor at McGill University’s Faculty of Law

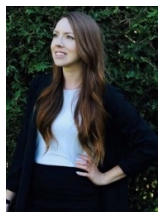
Debra Parkes
Professor and Chair in Feminist Legal Studies at the Allard School of Law, UBC



Allison Fenske
Director of the Community Law Centre at the University of Manitoba



Lydia Dobson
Lawyer and part-time professor at the University of Ottawa



Susan Haas
Staff lawyer at Legal Aid Alberta and sessional instructor at the University of Alberta

