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SUPREME COURT OF CANADA AGREES TO HEAR APPEAL BY GOVERNMENT AGAINST CCLA’S CHALLENGE OF SOLITARY CONFINEMENT LAWS

Today, the Supreme Court of Canada issued its decision granting the government of Canada leave to appeal the Canadian Civil Liberties Association’s victory against prolonged solitary confinement in Canada’s prisons.

(Toronto – February 13, 2020)

Since 2015, the Canadian Civil Liberties Association (CCLA) has been fighting in the courts against the federal laws allowing administrative segregation (one form of solitary confinement). Last year, the Ontario Court of Appeal ruled that prolonged solitary confinement – anything exceeding 15 days – constitutes cruel and unusual treatment, violating s. 12 of the *Canadian Charter of Rights and Freedoms*. Canada responded by passing legislation which they announced would put an end to administrative segregation. CCLA had raised concerns in Parliament that the bill did not in fact end administrative segregation, and would not stop the cruel practice of prolonged solitary confinement. The government, by pursuing its appeal in the Supreme Court, has made it clear that it will continue to fight for the ability to hold people in solitary for extended periods, causing untold damage to the individual prisoners and perhaps by extension to the communities to which almost all prisoners return.

“The harms of keeping a person in isolation can include panic, depression, rage, hallucinations, self-mutilation, and worse – and these effects can become permanent if the solitary confinement is prolonged. This is a terrible way to treat human beings, and it is contradictory to the goal of community safety. We call on the government to stop fighting, to uphold its promise, and to put an end to this horrendous practice.” -- Noa Mendelsohn Aviv, Equality Program Director at the Canadian Civil Liberties Association.

The Canadian Civil Liberties Association (CCLA) is a national non-partisan, non-profit organization that works to protect the rights and freedoms of all people in Canada.

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