



June 4th, 2021

CAEFS' Public Statement Regarding a June 2nd, 2021 Open Letter

On June 2nd, 2021, the Canadian Association of Elizabeth Fry Societies (CAEFS) received an open letter from a collective of women with experience of criminalization. CAEFS has responded by email to the signatories to the letter, as well as those copied. Given that the letter we received was made publicly available, we are issuing this public statement to be transparent in our position.

We shared what we understand the signatories' concern to be: that men with histories of sexual violence may seek to abuse the policy set forth by Correctional Service of Canada (CSC) to access the prisons designated for women; however, we hold that there must be a distinction made between men with histories of sexual violence, and trans women. We believe that we must address the potential for abuse of CSC's transfer policy, while respecting the right of trans women to be in the prison that aligns with their gender identity – should they choose – regardless of whether they have opted into or had access to gender-affirming surgery or not. We firmly hold that any individual's actions cannot be generalized to an entire group of people within any protected class of people. We recognize that gender is not a binary, even though the prisons are organized as such. In our response, we expressed that we advocate for safety that extends to cis women, non-binary people, trans women, trans men, and people whose gender falls outside of the colonial gender binary.

The CAEFS network is comprised of a diverse group of people – including those with lived experience of incarceration and criminalization. Our work and our advocacy are rooted in the belief that prisons are harmful to everyone and that everyone deserves safety, everyone deserves to live free from violence, and that no one is disposable.

The letter sent to us stated that there have been numerous incidents of harassment from people who have been transferred from prisons designated for men to prisons designated for women. We take all reports of harassment and violence seriously and will always seek to address harm when we are made aware of it. Since the new CAEFS leadership began in 2019, we have received no such reports either through our in-person visits to prisons or through our advocacy phone lines. We acknowledge that this does not mean that these incidents did not occur and may have been reported elsewhere. In recognizing that trust between these signatories and our organization has been broken, our response included a list of other avenues for reporting and support outside of CAEFS and an offer to help facilitate those connections.

We noted that CAEFS has always advocated for the people incarcerated in the federal prisons designated for women, and these prisons have always incarcerated gender-diverse people and not only cis women. Through our advocacy, we have also heard from many gender-diverse people who experience isolation, physical harm, and many other forms of violence within prisons because of their gender identity or expression. Our 2019 resolution on

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the inclusion of trans, non-binary, and Two Spirit people reflects the work that we have always done and brings us into explicit alignment with the Canadian Human Rights Act. We emphasized that in acknowledging that the scope of our work extends beyond cis women, we are not prioritizing the safety of one group over another, instead we are working to advocate for the safety of everyone.

In the letter sent to us, the signatories also expressed that they had experienced harm from the way that this resolution was discussed and brought forward at our 2019 annual general meeting. The signatories shared that CAEFS' actions had broken their trust with our organization. In our response, we acknowledged this harm and offered to discuss a process for repair, if desired by the signatories.

We believe we are aligned with the signatories in our desire to address violence in the prisons designated for women, and we hope that we can start from there in any future discussion and action we may undertake together.

The letter we were sent also made allegations and observations of a personal and private nature about our staff and their families, we underscored in our reply that we take the privacy and safety of our staff and volunteers very seriously. We can only move forward if this respect for privacy and safety is mutual.

As expressed in our response, we encouraged the signatories to reach out to CAEFS by phone or email to follow up, including to establish a process for repair. We appreciate the expressions of support we have received since the open letter was released. At this time, we believe that this matter is most effectively addressed between CAEFS and the signatories to the letter and wish no further hurt or harm to be experienced by any of our communities by the public nature of this discussion.

Currently and formerly federally incarcerated women, trans, non-binary, and Two Spirit people: CAEFS wants to be in conversation with you about this, and any matters related to your rights and conditions of confinement. We encourage you to contact us via email at admin@caefs.ca or at 1-800-637-4606.

At this time, there will be no further public comment by the CAEFS board or staff on this matter.

