



June 1, 2026

The Honourable Gary Anandasangaree  
Minister of Public Safety  
Ottawa, Ontario, Canada  
K1A 0P8

Delivered via email to: [gary.anand@parl.gc.ca](mailto:gary.anand@parl.gc.ca)

Dear Minister Anandasangaree,

**Re: Bill S-205, *An Act to amend the Corrections and Conditional Release Act***

I write on behalf of the Women's Legal Education and Action Fund (LEAF) to urge you to support Bill S-205,<sup>1</sup> also known as Tona's Law, to ensure its swift passage through the House of Commons before it rises in June. The Bill is named after Tona Mills, who spent close to a decade in isolation in federal prisons and fought tirelessly to ensure that nobody else experiences the harms of isolation that she did. If passed, the Bill will provide necessary judicial oversight for proposals to segregate or isolate an inmate for over 48 hours and expand eligible community-based supports for prisoners facing systemic discrimination.

LEAF is a national charitable organization that advances substantive equality rights for all women, girls, trans, and non-binary people through litigation, law reform, and public legal education. As an organization that focuses on gender equality, we are gravely concerned about the over-representation of Indigenous women in prisons, who are also at increased risk of being segregated or isolated. In our intervention in *R v Sharma*, LEAF highlighted the devastating effects of over-incarceration of Indigenous women—the majority of whom are single mothers—including the perpetuation of intergenerational trauma and the breakdown of Indigenous families and communities.<sup>2</sup>

Senator Kim Pate, who has been a lifelong advocate for incarcerated women, introduced Bill S-205 to enshrine accountability measures that were recommended over 30 years ago by the Honourable Justice Louise Arbour.<sup>3</sup> The Bill aims to end isolation and segregation in federal prisons by requiring court oversight and approval for any prison authority seeking to isolate a person longer than 48 hours.<sup>4</sup>

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<sup>1</sup> Bill S-205, *An Act to amend the Corrections and Conditional Release Act*, 1<sup>st</sup> Sess, 45<sup>th</sup> Parl, 2025-2026, online (LEGISinfo): <https://www.parl.ca/DocumentViewer/en/45-1/bill/S-205/third-reading> (“Bill S-205”).

<sup>2</sup> See *R. v. Sharma (2020, 2022)* – LEAF.

<sup>3</sup> The Honourable Louise Arbour, *Commission of Inquiry into Certain Events at the Prison for Women in Kingston* (Ottawa: Public Works and Government Services Canada, 1996) at 256.

<sup>4</sup> Bill S-205, *supra* note 1 at section 4.



It also broadens the definition of a Structured Intervention Unit (SIU) to ensure all practices of isolation and segregation are captured and will be subject to aforementioned judicial oversight.<sup>5</sup> Finally, the Bill would expand the list of eligible community-based organizations that can serve as alternatives to custodial institutions for marginalized groups.<sup>6</sup>

The United Nations' Mandela Rules define solitary confinement as being in confinement for 22 hours or more without meaningful contact;<sup>7</sup> indefinite and prolonged solitary confinement constitutes torture.<sup>8</sup> In 2019, courts in British Columbia and Ontario found that administrative segregation in federal prisons met the definition of solitary confinement, and that prolonged and indefinite segregation was a violation of *Charter* rights.<sup>9</sup>

The harms of segregation and isolation in prisons are well-documented and serious. As Senator Pate discussed in her speech about the Bill, even short time spent in solitary confinement can lead to detrimental psychological harms, which are exacerbated by longer stays.<sup>10</sup> In its decision declaring prolonged administrative segregation to be unconstitutional, the Court of Appeal for Ontario listed numerous negative impacts of segregation, including “appetite and sleep problems, anxiety, panic, rage, loss of control, depersonalization, paranoia, hallucinations, self-mutilation, increased rates of suicide and self-harm, an increased level of violence against others, and higher rates of frustration.”<sup>11</sup>

In 2019, the federal government amended the *Corrections and Conditional Release Act* to ostensibly abolish administrative and disciplinary segregation in federal prisons by introducing SIUs.<sup>12</sup> Despite this change, the SIU Implementation Advisory Committee determined that roughly 1 in 3 people in SIUs

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<sup>5</sup> *Ibid* at section 2.

<sup>6</sup> *Ibid* at sections 8-9.

<sup>7</sup> UNGA, “[United Nations Standard Minimum Treatment of Prisoners \(the Nelson Mandela Rules\)](#),” 70th Sess, UN Doc A/RES/70/175 (17 December 2015) at Annex at Rule 44.

<sup>8</sup> *Ibid* at Rule 43.

<sup>9</sup> *Canadian Civil Liberties Association v. Canada (Attorney General)*, [2019 ONCA 243](#); *British Columbia Civil Liberties Association v. Canada (Attorney General)*, [2019 BCCA 228](#).

<sup>10</sup> Senator Kim Pate, Senate of Canada, “Speech on the Bill to Amend the Corrections and Conditional Release Act” (28 April 2026), Third Reading, online (transcript): <https://sencanada.ca/en/senators/pate-kim/interventions/694440/29#hid>

<sup>11</sup> *Canadian Civil Liberties Association v. Canada (Attorney General)*, [2019 ONCA 243](#) at para 76.

<sup>12</sup> Public Safety Canada, [Solitary Confinement and the Structured Intervention Units in Canada's Penitentiaries: The Final Report of the SIU IAP](#) (5 December 2024)



across Canada meet the definition of being in solitary confinement<sup>13</sup> and that “vulnerable groups appear to be especially at risk of experiencing its negative effects.”<sup>14</sup>

Black and Indigenous people are not only over-represented among the prison population,<sup>15</sup> but also more likely to experience solitary confinement. Almost all women who started stays in SIUs were Indigenous women and Indigenous prisoners tend to stay in SIUs longer than non-Indigenous prisoners.<sup>16</sup> In 2024, Black and Indigenous prisoners represented just about half of the prisoners who spent 62 days or longer in SIUs.<sup>17</sup>

This is a deeply concerning state that requires immediate resolution. The federal government has a chance to tangibly prevent isolation and segregation in federal prisons by supporting Bill S-205. We urge you to take action by publicly supporting the Bill.

Sincerely,

Ruth Goba  
Executive Director  
Women's Legal Education and Action Fund

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<sup>13</sup> Anthony N. Doob & Jane B. Sprott [Solitary Confinement, Torture, and Canada's Structured Intervention Units](#) (23 February 2021) at 4, Centre for Criminology & Sociolegal Studies at the University of Toronto.

<sup>14</sup> Public Safety Canada, [Solitary Confinement and the Structured Intervention Units in Canada's Penitentiaries: The Final Report of the SIU IAP](#) (5 December 2024)

<sup>15</sup> The number of incarcerated Indigenous people is 10 times higher than those who are non-Indigenous and the rates of incarcerated Indigenous people increased each year between 2019-2024; the over-representation rate grew more for Indigenous women than Indigenous men. Black people are incarcerated three times the rate of non-Black people. See Statistics Canada, [“Overrepresentation of Indigenous and Black adults in provincial and federal custody”](#) (14 January 2026)

<sup>16</sup> Public Safety Canada, [Structured Intervention Units Implementation Advisory Panel Update #3-2023](#) (10 March 2023)

<sup>17</sup> Public Safety Canada, [Solitary Confinement and the Structured Intervention Units in Canada's Penitentiaries: The Final Report of the SIU IAP](#) (5 December 2024)