



FOR IMMEDIATE RELEASE

June 25, 2021

Manitoba Advocate reports on Manitoba Justice’s progress on the use of solitary confinement and segregation, renewing call for system change

WINNIPEG, TREATY ONE TERRITORY, HOME OF THE METIS NATION – The Manitoba Advocate for Children and Youth (MACY) is renewing her call for more mental health and cultural supports for youth in custody in the interest of improved rehabilitation and public safety in *Breaking the Cycle: An Update on the Use of Segregation and Solitary Confinement in Manitoba Youth Custody Facilities*, a special report released today.

In February 2019, the Manitoba Advocate released *Learning from Nelson Mandela: A Report on the Use of Solitary Confinement and Pepper Spray in Manitoba Youth Custody Facilities*. The 2019 special report made six recommendations, calling on the Manitoba government and Manitoba Justice to end the use of segregation for over 24 consecutive hours and work with other government departments to enhance therapeutic alternatives to support the rehabilitation and reintegration of young people in custody.

Since the 2019 publication, the Manitoba Advocate has been monitoring government progress by analyzing monthly data and working with departmental officials on strategies to move each recommendation closer to completion. To date, only one out of six recommendations — increasing oversight of pepper spray use — has been deemed fully compliant by MACY.

Today’s release is a special report update that provides insight into the province’s ongoing use of solitary confinement and segregation in youth custody facilities. The purpose of this update is to amplify the voices of youth who continue to experience segregation and solitary confinement in Manitoba youth custody facilities and the voices of justice personnel who say they need more tools to manage the children and youth who enter custody already carrying emotional trauma and other complex needs.

“Many youth in custody facilities live with unresolved and sometimes intergenerational trauma, cognitive disabilities, or mental illnesses,” said Ainsley Krone, Acting Manitoba Advocate for Children and Youth. “As established in our 2019 report, research is clear that segregating and isolating youth, particularly for extended periods of time, and regardless of the reason, is harmful and may have lasting impacts on their mental health and on their abilities to transition safely back into the community.”

Today’s special report update reveals that the large majority of youth in segregation identified as male (74%), and as Indigenous (94%). More than half of youth in segregation (63%) had known mental health challenges. Throughout 2020, data revealed a concerning ten-fold increase in the number of segregation incidents lasting over 15 consecutive days, which constitutes prolonged solitary confinement. MACY’s data analysis also determined that a larger proportion of youth in custody are experiencing segregation today compared with the 2015-16 numbers. The COVID-19 pandemic also led to an increase in the use of

segregation due to the requirement of a 14-day isolation period upon entry introduced by Manitoba Justice since March 2020.

“Today I am reiterating the call made by my office in 2019 to the Manitoba government and Manitoba Justice to shift their response by investing in a youth justice system that is based on effective therapeutic programs,” Krone said. “The youth and service provider perspectives shared in this report make it clear that change is needed.”

As one youth interviewed stated: “The way they do it, they’re not helping us.” Further, Manitoba Justice staff recognize the need for investment in staff to do this challenging work and the need for collaboration with other departments. If youth are to reintegrate safely back into the community, they need the tools and supports to cope with their emotions and trauma. Cultural supports are a human right guaranteed under provincial regulations, and under international conventions such as the *United Nations Convention on the Rights of the Child* and the *United Nations Declaration on the Rights of Indigenous Peoples*. Youth have the right to such cultural supports while in custody.

The Advocate’s renewed call to the Manitoba government and Manitoba Justice focuses on:

- prohibiting segregation over 24 consecutive hours;
- ensuring segregation incidents under 24 hours are further restricted in the law to protect vulnerable populations;
- enhancing therapeutic, mental health, and cultural supports for youth in custody; and
- creating a stand-alone medical facility for youth in custody, led and run by mental health professionals.

With the proclamation of *The Advocate for Children and Youth Act* in March 2018, MACY can now track progress on all of its recommendations to government and other public services and publicize child death investigations and systemic research through the Advocate’s special reports.

To read MACY’s past special reports and view recommendation compliance tracking, visit our website: ManitobaAdvocate.ca

About MACY: MACY is an independent, non-partisan office of the Manitoba Legislative Assembly. It represents the rights, interests, and viewpoints of children, youth, and young adults throughout Manitoba who are receiving or entitled to public services, including child and family, adoption, disability, mental health, addictions, education, victim supports, or youth justice. The office does this by advocating directly with children and youth, or on their behalf with caregivers and other stakeholders. Advocacy also involves reviewing public services after the death of any young person when that young person or their family was involved with a reviewable service as defined in *The Advocate for Children and Youth Act* (the ACYA). Additionally, the Manitoba Advocate is empowered under provincial law to make recommendations to government and other public bodies, conduct child-centred research, disseminate findings, and educate the public on children’s rights and any other matter under the ACYA.

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