

R 1184 VOL 908 12-5-4, pt 1

12-5-4

VOL. No. 1

MINISTER'S OFFICE

KINGSTON PENITENTIARY INSTITUTIONS
INCIDENT

[illegible]

c.c. for the information of: SOLICITOR GENERAL

DEPUTY SOLICITOR
GENERAL



SOLICITEUR GÉNÉRAL
ADJOINT

Ottawa, Ontario,
K1A 0P8.

March 13, 1973.

Dear Mr. Swackhamer:

Thank you for your letter of 9 March 1973, in which you point out that the first sentence on page 125 should have been included in the printing of your report.

I have checked the original report and can assure you that the sentence was not deliberately removed. It occurred by accident when as you know, the balance of the page was removed.

Instructions have been given for the insertion of a correction sheet in copies now held with Information Canada and those who have received complimentary copies will be advised.

Please accept my thanks for your bringing this to my attention.

Yours sincerely,

A handwritten signature in cursive script, appearing to read "Roger Tassé".

Roger Tassé,
Deputy Solicitor General.

Mr. J.W. Swackhamer, Q.C.,
Fasken & Calvin,
Barristers and Solicitors,
Box 30,
Toronto-Dominion Centre,
Toronto 111, Ontario.

Fasken & Calvin

30th Floor
Toronto-Dominion Bank Tower

Box 30,
Toronto-Dominion Centre,
Toronto 111, Canada

Telephone 366-8381
Area Code 416
Telex 06-217765

Barristers
and
Solicitors

W. Swackhamer, Q.C.
J.D. Taylor, Q.C.
Georgia M. Bentley
R.D. Wilson
R.L. Sherriff
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A.D.T. Givens, Q.C.
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John Sopinka
K.J.C. Harries
J.H. Hough
D.G. Marwick
L.D. Roebuck
Donna C. Allen
W.R. Passi
T.R. Lofchik
A.C. Millward

Counsel - B.R. MacKenzie, Q.C.

March 9, 1973.
File: 4404

Mr. Roger Tassé,
Deputy Solicitor General,
Ottawa, Ontario.
KIA OP8.

Dear Mr. Tassé:

I have your letter of February 28, 1973,
together with a copy of the Report referred to therein.

On reading the Report, I observe that at the
bottom of page 34 there is an omission which is of
significance. There should be inserted at the bottom
of the page the following sentence: "There is no
justification, explanation or excuse for them".
Without that sentence, the preceding paragraph is
meaningless. You will find that sentence at the
top of page 125 of the original Report.

I would personally request that a correction
sheet be distributed with the copies of the Report as
published.

Yours faithfully,

J.W. Swackhamer.

MINISTER OF NATIONAL DEFENCE



MINISTRE DE LA DÉFENSE NATIONALE

Ottawa
March 7th, 1973

RECEIVED
OFFICE OF THE
SOLICITOR GENERAL

MAR 12 9 58 AM '73

The Honourable Warren Allmand,
Solicitor General,
House of Commons,
Ottawa, Ontario.

Dear Colleague:

Thank you for sending to me, with your letter of February 28th, a copy of the Report of the Commission of Inquiry into Certain Disturbances at Kingston Penitentiary in April, 1971.

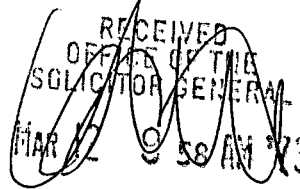
I will read this report with great interest, and I wish to acknowledge, particularly, the complimentary remarks in your letter about the assistance provided to the Canadian Penitentiary Service by the Canadian Armed Forces.

Sincerely,

A large, stylized handwritten signature of James Richardson.
James Richardson

SECRET

BY HAND



OTTAWA, K1A 0P8
February 28, 1973

The Honourable J.A. Richardson, P.C., M.P.,
Minister of National Defence,
House of Commons,
Ottawa, Ontario.

My dear Colleague:

The Report of the Commission of Inquiry into Certain Disturbances at Kingston Penitentiary during the month of April, 1971 was received some time ago by my predecessor.

I propose to table the Report in the House of Commons on 1 March, 1973. Only changes necessary for purposes of security and internal discipline of the Canadian Penitentiary Service have been made to the original Report. As this matter is of particular interest to you, I am forwarding a copy of the Report herewith.

I should also like to take this opportunity to thank you for the invaluable assistance rendered to the Canadian Penitentiary Service by the Canadian Armed Forces during and after the disturbance.

Yours very truly,

Original Signed by
Original Signed per
Warren Allmand

Warren Allmand

INGER HANSEN/lcf

S E C R E T

BY HAND

OTTAWA, KIA 0P8
February 28, 1973

The Honourable J.A. Richardson, P.C., M.P.,
Minister of National Defence,
House of Commons,
Ottawa, Ontario.

My dear Colleague:

The Report of the Commission of Inquiry into Certain Disturbances at Kingston Penitentiary during the month of April, 1971 was received some time ago by my predecessor.

I propose to table the Report in the House of Commons on 1 March, 1973. Only changes necessary for purposes of security and internal discipline of the Canadian Penitentiary Service have been made to the original Report. As this matter is of particular interest to you, I am forwarding a copy of the Report herewith.

I should also like to take this opportunity to thank you for the invaluable assistance rendered to the Canadian Penitentiary Service by the Canadian Armed Forces during and after the disturbance.

Yours very truly,

Original Signed by
Original Signed by
Warren Allmand

Warren Allmand

INGER HANSEN/lcf

S E C R E T

BY HAND

OTTAWA, K1A 0P8
February 28, 1973

The Rt. Hon. Pierre Elliott Trudeau, P.C., M.P.,
Prime Minister of Canada,
House of Commons,
Ottawa, Ontario.

Dear Mr. Prime Minister:

As you know, the Report of the Commission of Inquiry into Certain Disturbances at Kingston Penitentiary during the month of April, 1971 was received some time ago by my predecessor.

I propose to table the Report in the House of Commons on 1 March, 1972. A few changes which were necessary for the purposes of security and internal discipline of the Canadian Penitentiary Service have been made to the original Report. A copy of the Report is forwarded herewith.

I sincerely hope the publication of the Report will enhance public understanding of the problems facing those working towards rehabilitation of offenders.

Yours very truly,

Warren Allmand

INGER HANSEN/lcf

S E C R E T

BY HAND

OTTAWA, KIA 0P8
February 28, 1973

The Honourable Otto E. Lang, P.C., M.P.,
Minister of Justice,
House of Commons,
Ottawa, Ontario.

My dear Colleague:

The Report of the Commission of Inquiry into Certain Disturbances at Kingston Penitentiary during the month of April, 1971 was received some time ago by my predecessor.

It is my intention to table the Report in the House of Commons on 1 March, 1973. Only changes necessary for purposes of security and internal discipline of the Canadian Penitentiary Service have been made to the original Report. As this matter is of particular interest to you, I am forwarding a copy of the Report herewith.

Yours very truly,

Original Signed by
Original Signed par
Warren Allmand

Warren Allmand

INGER HANSEN/lcf

OTTAWA, Ontario
K1A 0P8

February 28, 1973

The Honourable Dalton Bales,
Minister of Justice and Attorney General
for the Province of Ontario,
Parliament Buildings,
TORONTO, Ontario

Dear Mr. Bales:

I have the honour to convey to you herewith a copy of the Report of the Commission of Inquiry into Certain Disturbances at Kingston Penitentiary During April, 1971, which will be tabled in the House of Commons tomorrow, March 1st.

The assistance of the Government of the Province of Ontario in the matter of the disturbances at Kingston Penitentiary was significant and valuable and, needless to say, much appreciated by this Ministry.

I sincerely hope you will find the Report of interest.

Yours sincerely,

Original Signed

Original Signed

Warren Allmand

Warren Allmand

DGCOBB/ml

Att.



Government
of Canada

Gouvernement
du Canada

MEMORANDUM

NOTE DE SERVICE

TO
À

Mr. Roger Tassé

FROM
DE

Policy Advisor

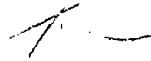
SUBJECT
OBJET

Kingston Penitentiary Riot Report Press Release

SECURITY CLASSIFICATION - DE SÉCURITÉ SECRET
OUR FILE - N/RÉFÉRENCE
YOUR FILE - V/RÉFÉRENCE 12-5-4
DATE February 15, 1973

Enclosed is the original draft with Mr. Allmand's alterations as we discussed and the draft you request me to do.

If you feel that you would rather proceed with my revised draft: it should be sent to the Minister for his perusal.


Terry McGrath

TM/ab

000011

Secret

Press Release
Draft Version # 2

Kingston Penitentiary Riot Report

The report of the Commission of Inquiry into the Kingston Penitentiary Riot of April 1971 was tabled in Parliament today by Solicitor General Warren Allmand.

Mr. Allmand said he decided to publish the report in the hope that by doing so "public understanding of penal problems might be enhanced. Such knowledge is necessary in obtaining broad support for the efforts being made both through research and new operating procedures that will better protect the public and provide opportunities for the rehabilitation of criminal offenders".

The three-member Commission under the chairmanship of Mr. J.W. Swackhamer Q.C., a Toronto lawyer, concluded: "We find that there was no single identifiable cause for the Kingston disturbance. We do, however, find that it was the result of the system which then prevailed. That system failed fundamentally because it was unable to establish and maintain a strong rehabilitative program".

The Commission found that only a few inmates were involved in the planning of the disturbances but substantially all the inmate population participated after the disturbances commenced and that reasonable additional security measures would not have enhanced the safety of the institutions' staff or prevented the occurrence of the disturbance. However, the Commission did express the opinion that "there was no adequate plan for dealing

2.

with the disturbance once it has occurred".

Solicitor General Allmand said "that contingency plans have now been developed by his department that will enable authorities to be more responsive to emergency situations as they arise. However, we must work towards the development of a social environment in the Kingston institution that will eliminate the stresses which caused the disturbance and to this end, the Commission has been most informative and constructive".

Mr. Allmand noted "Of the 55 recommendations of the Commission, 48 were fully implemented or being implemented at the time the report was received. Seven other recommendations are still under study".

The report reveals that the riot resulted in the death of two inmates, injury to twelve others, destruction of the main cell blocks and during the three days following the riot when inmates were being transferred from Kingston Penitentiary to Millhaven Institutions, 86 inmates suffered injuries inflicted by Millhaven guards.

The Attorney General of Ontario conducted a separate investigation on the events at Kingston and Millhaven which resulted in criminal charges being laid against both inmates and correctional officers. In addition, disciplinary action has been imposed by the Canadian Penitentiary Service on several staff members.

3.

A maximum security prison, such as Kingston Penitentiary, has the twin objectives of maintaining inmates in custody and preparing them to return permanently to the community as law-abiding citizens. In this regard, the Commission emphasized "it is clear that at Kingston Penitentiary the objective of preventing escapes was admirably attained: for almost a decade there had been no inmate escape from the premises. It is regrettably obvious, however, that the second objective failed to be realized and that, indeed, in pursuit of custody as an objective, rehabilitation and appropriate programs in the institution were seriously curtailed".

According to the Commission, it was the failure of Kingston Penitentiary as a rehabilitative center which led to the tragic events of April 1971. "Punishment per se can no longer be regarded as a legitimate objective of the Penitentiary System, except insofar as separation from the community for a term of imprisonment amounts in itself to punishment".

Testimony heard by the Commission established that gulfs that separated inmates from custodial staff and custodial staff from professional staff "led inevitably to the destruction of the program and deterioration in the life of the institution". To improve life or programs in the penitentiary, schisms and divisions between groups in the prison society would have to be removed or reduced.

4.

A reasonable rehabilitative program could not be proposed or initiated so long as it is viewed as suspect by groups of either the inmate population or the staff.

It recognizes that certain incorrigible inmates must be isolated in maximum security, but the Commission believes there should be assurance that an inmate is placed in an institution where there is a training program appropriate to his needs. There are risks involved but risks always co-exist with creative opportunities. It is fundamental that an inmate be allowed a sense of personal worth, no matter how serious his crime. It would be less than civilized to permit anything else. Steps should be taken to reduce the uniformity of prison life and inmates should be encouraged to utilize the variety of talents they have.

In discussing inmates' rights, the Commission states that inmate grievances, whether justified or not, must be dealt with to defuse hostility and resentment. There should be a right of appeal from the Inmate Discipline Board and a Visitor's Committee to Penitentiaries should be established.

While there must be custodial officers to ensure security, all other members of the corrections staff, including the Director of an institution, should play an active role in the training of inmates. Better training and increased opportunity for promotion

5.

from the ranks is urged. No limit, except demonstrable ability, should be imposed on the opportunity given to the most junior staff member to rise to senior positions.

Mr. Allmand said that the original report had been subject to some minimal editing for civil rights, security and discipline reasons. In this respect, the published report omitted the names of certain persons, a few lines whose publication would be a violation of security, and six pages of comments on the actions of four persons employed by the Canadian Penitentiary Service.

The Commission of Inquiry was appointed by the Commissioner of Penitentiaries under Section 13 of the Penitentiary Act. The Commission was composed of Mr. Swackhamer who was its chairman, W.T. McGrath, Executive Director of the Canadian Criminology and Corrections Association, and H.E. Popp, Director of Security, Canadian Penitentiary Service. Ian Scott Q.C., of Toronto, was Counsel and Secretary. In addition to hearing evidence in camera, the members of the Commission visited nine institutions and received statements from 580 persons including penitentiary staff and inmates. Full confidentiality was maintained over the identities and testimony of all witnesses and the witnesses themselves were assured by the Commission that the confidentiality of their testimony would be respected.

Ottawa, Ontario
K1A 0P8

September 6, 1972

Dear Brigadier General Coffin,

Thank you for your letter of August 23, 1972 and the enclosed photographs and it is a pleasure for me to autograph one.

I would like to take this opportunity to commend you and your staff for the excellent co-operation which we received during these disturbances.

It is also encouraging to note that our reform programs are receiving your support.

Yours sincerely,

Original Signed by
JEAN - PIERRE GOYER

Jean-Pierre Goyer

Brigadier General G.R.A. Coffin,
Headquarters Air Transport Command,
Canadian Forces Base Trenton,
Astra, Ontario.

HB/jm

DEPARTMENT OF NATIONAL DEFENCE (D)



MINISTÈRE DE LA DÉFENSE NATIONALE

RECEIVED
OFFICE OF THE
SOLICITOR GENERAL

AUG 28 11 46 AM '72

RECEIVED
OFFICE OF THE
SOLICITOR GENERAL

Headquarters Air Transport Command
Canadian Forces Base Trenton
Astra, Ontario
23 August, 1972

The Honourable J.P. Goyer,
Solicitor General of Canada,
House of Commons,
Ottawa, Ontario.

Dear Mr. Goyer,

A few days ago, one of our photographers sent to me prints of some pictures he had taken during the Kingston Penitentiary riots in April 1971. He had evidently held these on his files and decided that I might like to have them. I would think that we both will have difficulty in forgetting the few desperate hours we passed together during that period. I hope therefore that you would not mind my asking you to autograph one of these prints for me. You may wish to keep the other for yourself. I personally have no preference as to which one I would want to keep.

I was involved again with our friends at Millhaven last month when I organized and directed the military participation in the search for the fourteen prisoners who escaped from there. It was interesting that some of the escapers stayed so close to the area for so long after they had escaped. I suspect that these individuals left the prison with no plan in mind whatsoever.

I must observe that your Department has been a most active one during the past year. Knowing first-hand some of the problems with which you are faced, I can assure you that I am a sympathetic supporter of what you are trying to do. With best regards,

Yours sincerely,

L. A. Coffin
L. A. Coffin
Brigadier-General

Encl

MEMORANDUM

GOVERNMENT OF CANADA

Document disclosed under the Access to Information Act
Document divulgué en vertu de la Loi sur l'accès à l'information

NOTE DE SERVICE

GOUVERNEMENT DU CANADA

17 May 72

FROM
DE

DEPUTY SOLICITOR GENERAL

TO
A

COMMISSIONER HIGGITT

MR. T.G. STREET

SUBJECT
SUJETExpenses of the Commission of Enquiry
Kingston Penitentiary Disturbance

SECURITY - CLASSIFICATION - DE SÉCURITÉ

OUR FILE - NIRÉFÉRENCE

119-2

YOUR FILE - VIREFÉRENCE

DATE

May 4, 1972

Treasury Board has recently remarked on the dangers and undesirability in any situation of open-ended agreements for services which do not set out a limit on the Crown's total financial obligations.

Treasury Board has asked that appropriate controls are established to ensure that in future all agreements for services clearly set out a limit on the Crown's total financial obligations, such a limit to be consistent with any limit established by the Board for any particular program or project.

Your cooperation in seeing that this is done in all cases will be appreciated.

E. A. CÔTÉ

E.A. Côté,
Deputy Solicitor General

RMJLABROSSE/ml

c.c. Solicitor General ✓
Mr. Dewar
All Principal Advisers

MEMORANDUM

GOVERNMENT OF CANADA



NOTE DE SERVICE

GOVERNEMENT DU CANADA

E
17 May 72

FROM
DE

DEPUTY SOLICITOR GENERAL

TO
A

COMMISSIONER OF PENITENTIARIES

SUBJECT
SUJET

Expenses of the Commission of Inquiry
Kingston Penitentiary Disturbance

SECURITY - CLASSIFICATION - DE SÉCURITÉ

OUR FILE — N/RÉFÉRENCE

119-2

YOUR FILE — V/RÉFÉRENCE

DATE

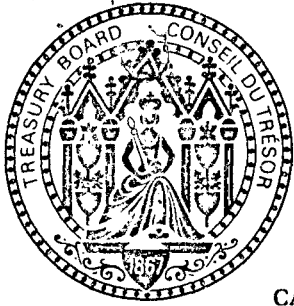
May 4, 1972

Attached for your information and guidance is a copy of a letter from Mr. D.B. Dewar, Deputy Secretary of the Program Branch of Treasury Board pertaining to the expenses of the Commission of Inquiry which enquired into the disturbances at Kingston Penitentiary last year.

I'm sure you recognize as I do that, in future, it will be necessary for you to establish appropriate controls to ensure that all agreements clearly establish the limit of the Crown's total financial obligations, consistent with any limit set out by Treasury Board for the particular program or project.

RMJLABROSSE/EACOTE/ml
Att.
c.c. Solicitor General ✓

E.A. Côté,
Deputy Solicitor General



CANADA

T.B. 711373
DM SIF File: 8175-2/S686

SOL GEN - Ottawa, Ontario

K1A OR5

May 2 1972

COSSIER

Mr. Ernest A. Côté,
Deputy Solicitor General,
Ottawa, Ontario, K1A OP8.

Dear Mr. Côté:

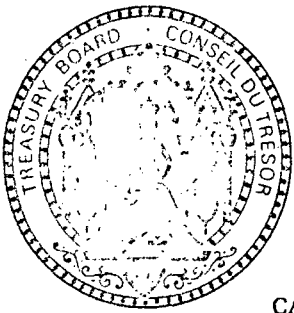
Approval has been given to your Minister's proposal to increase from \$50,000 to \$120,000 the limit on the expenses of the Commission of Inquiry respecting the disturbances at Kingston Penitentiary last year. The number of the authority is T.B. 711373 and its date is April 20, 1972.

While the original limit of \$50,000 had to be set without a clear idea of the required size and scope of the inquiry, authority to increase it should nonetheless have been sought before expenditures were allowed to exceed this amount. We understand that the principal reason for not coming forward in time was that the Commissioners failed to keep the Penitentiary Service informed of their expenditures. It seems unlikely that this would have happened had limits, reflecting the \$50,000 maximum, been included in the agreements between the Commissioners and the Penitentiary Service. We would seriously doubt the desirability in any situation of open-ended agreements for services, but think that they are especially questionable when the Board has established a specific limit on expenditures in the particular area. We appreciate that the Penitentiary Service attempted to meet this problem through a letter to the Chairman of the Commission which referred to the \$50,000 limit; however, experience appears to have demonstrated that this was an insufficient control.

We would ask that in future all agreements for services set out a limit on the Crown's total financial obligations. Such a limit should of course be consistent with any limit established by the Board for the particular program or project.

Yours sincerely,

D.B. Dewar
Deputy Secretary
Program Branch.



CANADA

T.B. 711373
File: 8175-2/S686

Ottawa, Ontario
K1A 0R5
May 1, 1972

DM 81
SGL 101

Mr. Ernest A. Côté,
Deputy Solicitor General,
Ottawa, Ontario, K1A 0P8.

Dear Mr. Côté:

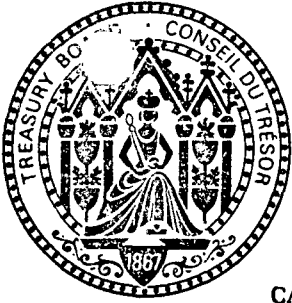
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We would ask that in future all agreements for services set out a limit on the Crown's total financial obligations. Such a limit should of course be consistent with any limit established by the Board for the particular program or project.

Yours sincerely,

D.B. Dewar
D.B. Dewar
Deputy Secretary
Program Branch.



CANADA

CONFIDENTIAL

6709 ROBERT, B H
Mr. Chibault
3 Apr 72

File: 9010-3-1
T.B.: 710168

Ottawa, Ontario
K1A 0R5

March 29, 1972

Mr. Ernest A. Côté
Deputy Solicitor General
3rd Floor
Sir Wilfrid Laurier Building
340 Laurier Avenue West
Ottawa, Ontario
K1A 0P8

Dear Mr. Côté:

Your Department's submission of January 17, 1972, concerning the funeral expenses of Mr. B.H. Robert, an inmate at Kingston Penitentiary, was considered by the Treasury Board on March 16, 1972. The Treasury Board approved for recommendation to the Governor-in-Council an ex-gratia payment of \$201.80 to Thompkins' Funeral Home of Kingston, Ontario, and an ex-gratia payment of up to \$1,150.00 to the T. Brady Hinnegan Funeral Services of Chatham, Ontario. It was understood that the amount held in the trust fund on behalf of Mr. Robert would be applied against the first payment.

The Ministers attached a qualification to the second payment. It seemed to the Treasury Board that this account was unreasonably high, and it was agreed that your Department should first attempt to negotiate with the firm, T. Brady Hinnegan Funeral Services, for a lower settlement. The Ministers felt that the objective should be to reduce the amount as close as possible to \$600.00. This would appear to be a much more reasonable charge for services rendered, particularly since this is the amount normally allowed for funerals of members of the Armed Forces or the R.C.M.P. who are killed on duty.

We would ask you to advise us as soon as agreement has been reached as to the exact amount to be paid to the T. Brady Hinnegan firm. On receipt of that information, a recommendation will be forwarded to the Governor-in-Council that the ex-gratia payments be approved.

Yours sincerely,

Guy Cousineau
Deputy Secretary
Administrative Policy

6709 ROBERT, B.H.

OTTAWA K1A 0P8

June 9, 1971

Dear Mr. McCutcheon:

This letter is further to mine of May 27th concerning the inquiry into the circumstances of a payment for funeral expenses by the family of the late Mr. B.H. Robert of Kingston Penitentiary.

I regret that a misunderstanding occurred whereby the Tompkins Funeral Home in Kingston invoiced the local undertaker, Mr. Hennigan of Chatham, for burial expenses when it was the intention that the penitentiary service would assume responsibility for them. I have seen an itemized statement totalling \$201.80 which represents the amount to be paid and understand that the Funeral Home has been asked to cancel the invoice to Mr. Hennigan.

It would be appreciated if you would inform the bereaved parent, Mr. Bill Robert, that I regret sincerely any inconvenience occasioned by him in this matter and that the account is now in the hands of our penitentiary authorities for disposal.

Thank you for bringing this important matter to my attention.

Yours sincerely,

Original Signed by
JEAN - PIERRE GOYER

B.M. KAINE/cag

Jean-Pierre Goyer

DISTRIBUTION:

Mr. M.T. McCutcheon, M.P.,
Room 300 - W.B.,
House of Commons,
OTTAWA, Ontario.
K1A 0A7

✓ Minister's Office: ORIGINAL & 2 COPIES
D/Minister: 1 COPY
Commissioner: 1 COPY
FLOATER
FILE
Secretariat: 2 COPIES
SHANNON

Ottawa, Ontario K1A 0P8
May 27, 1971

Dear Mr. McCutcheon:

I wish to thank you for your letter of May 26, 1971 regarding the payment of the funeral expenses of Mr. B.H. Robert who died following injuries received at the recent Kingston Penitentiary disturbance.

This matter is being given immediate attention by the Commissioner of Penitentiaries and as soon as I am in possession of the results of his inquiry, I shall be pleased to write you further.

Yours sincerely,

Original Signed by
JEAN - PIERRE GOYER

J.R.CAMERON/sd

Jean-Pierre Goyer

Mr. M.T. McCutcheon, M.P.,
Room 330 - W.B.,
House of Commons,
Ottawa, Ontario.

c.c. Commissioner of Penitentiaries.

B F 3 June 77

MEMORANDUM
GOVERNMENT OF CANADA



NOTE DE SERVICE
GOUVERNEMENT DU CANADA

FROM
DE

ACTING EXECUTIVE ASSISTANT

TO
À

MR. PAUL FAGUY
COMMISSIONER OF PENITENTIARIES

SUBJECT
SUJET

Funeral Costs - 6709 Bertrand Henry Robert

OUR FILE - N/RÉFÉRENCE	
YOUR FILE - V/RÉFÉRENCE	
DATE May 27, 1971	
REFER REPLY TO ENVOYER LA RÉPONSE À	TEL. NO. TÉL.

The attached copy of a letter dated May 26, 1971 from Mr. M.T. McCutcheon, M.P., and a copy of the letter of acknowledgment prepared, is forwarded for attention please and the preparation of a reply for signature by the Solicitor General.

J.R. Cameron



HOUSE OF COMMONS
CANADA

RECEIVED
OFFICE OF THE
SOLICITOR GENERAL

MAY 27 10 33 AM '71

RECEIVED
OFFICE OF THE
SOLICITOR GENERAL

Ottawa, Ontario
May 26, 1971

MAY 27 9 03 AM '71

The Honourable J.P. Goyer,
Solicitor General,
Ottawa, Ontario.

Dear Mr. Minister:

I have been approached by [REDACTED]
[REDACTED] father of the prisoner
recently killed in the Kingston riot.

The son-in-law [REDACTED]
[REDACTED] interviewed the Warden at Kingston
and it was understood by [REDACTED] the father of
the deceased that under the circumstances all funeral
expenses would be paid and the body shipped home for
burial.

s.19(1)

[REDACTED] has now been advised by the local
undertaker, Mr. Hinnegan of Chatham, that the Funeral
Home paid \$200 to an official in Kingston to obtain
release of the body and the deceased is now buried at
a Chatham Township area cemetery. [REDACTED] is not
a man of any great financial means and naturally Mr.
Hinnegan wishes to be paid the funeral expenses.

It would be greatly appreciated if you would
look into this matter and advise me.

Yours truly,

M. T. McCutcheon, M.P.

/ml

MEMORANDUM

GOVERNMENT OF CANADA



NOTE DE SERVICE

GOUVERNEMENT DU CANADA

JUN 10 9 19 AM '71
OFFICE OF THE
ATTORNEY GENERAL

FROM
DE

Commissioner of Penitentiaries

FORX

Mr. J.R. Cameron
Acting Executive Assistant

SUBJECT
SUJET

FUNERAL COSTS
6709 ROBERT, Bertrand Henry
(DECEASED) - KINGSTON PENITENTIARY

OUR FILE - N/RÉFÉRENCE

6709 ROBERT, B.H.

YOUR FILE - V/RÉFÉRENCE

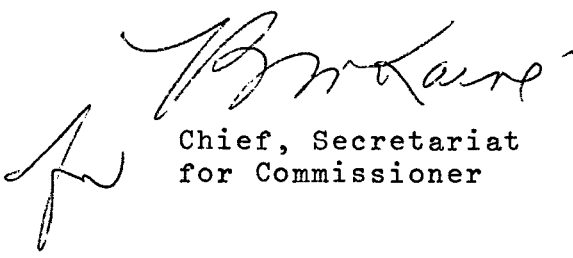
DATE

June 9, 1971

REFER REPLY TO
ENVOYER LA RÉPONSE À

TEL. NO.
TEL.

1. As requested in your memorandum of May 27th, we gave attention to the matter and have ascertained that the funeral arrangements were to be paid by the institution. Accordingly, we have advised Mr. McCutcheon to this effect in letter attached, prepared for the Minister's signature.


Chief, Secretariat
for Commissioner

Att.

Ottawa, Ontario
KIA OP8
September 3, 1971

Dear Miss Johnson:

I have been asked to acknowledge your letter of August 12, 1971 to the Minister of Justice which has been referred to this office as the Solicitor General is the Minister responsible for the Canadian Penitentiary Service.

Your letter has been directed to the attention of the Commissioner of Penitentiaries and you may expect a reply from him within a few days in response to your inquiry.

Yours sincerely,

J.R. Cameron
A/Executive Assistant

JRC/hp

Miss Susan Johnson,
Star Probe,
Toronto Daily Star,
80 King Street West,
Toronto 1, Ontario

cc: with attachments - Commissioner of Penitentiaries
for further reply, please

MINISTER OF JUSTICE - MINISTRE DE LA JUSTICE

Date August 19, 1971.

Forward to Mr. John R. Cameron,
Faire suivre

ACTION REQUEST - FICHE DE SERVICE:

Reply for signature of
Réponse pour la signature du

Please see me re this
S.V.P. me voir à ce sujet

Attention XXX - not acknowledged.
Attention

Information
Renseignement

Note and return
Noter et retourner

Note and return with comments
Noter et retourner avec commentaires

Return with file
Retourner avec dossier

Approval or revision before mailing
Approbation ou revision avant de poster

Other instructions:
Directives supplémentaires:

..... Michael W. Hunter 000030 /
Executive Assistar

Toronto Daily Star

Editorial Department Office
Bureau du Ministre

AUG 16 1971

MIN.
Ex. Asst.
SP. Asst.
SP. Asst.
Pri. Sec.
Const. Sec.

RECEIVED
OFFICE OF THE
SOLICITOR GENERAL
AUG 23 9 14 AM '71

31970

August 12, 1971

Hon. John Turner
Minister of Justice
Parliament Buildings
Ottawa, Ontario

Dear Hon. Turner:

Enclosed please find a copy of a letter we
received from a witness to the Kingston
Penitentiary Riot.

I believe that this is a situation which would
be worth while investigating.

Any light you can shed on the subject will be
greatly appreciated.

Thanking you in advance for your prompt and
courteous attention to this matter, I am,

Yours truly,

Susan Johnson

Susan Johnson
Star Probe

SJ/mf
Encl.

~~Dear Sir,~~
He received a copy of
this letter, written from
Japanese jail for our son
requesting our help. He
requested we send a copy
of this letter to any official
interested in seeing justice
in Canada. They are being
dealt a great injustice
and we want it rectified
so this is the reason we
thought of you. Our
son needs help desperately
Please see and talk
with him.

Sincerely

s.19(1)



De Sir,

Further to riot Kingston Apr 171, we're aware there was a complete investigation by the Kingston Detective where it meant the interviewing of each inmate that were in Kingston at time of riot.

On completion of interviews it must of been determined they had grounds to a charge of murder on a group of 13 men.

We understand a group of approx. 10 men selected out of 40 to assist in the fact that a case was at hand. which was assured with the selected witnesses who gave their best & in turn gave the judge more than sufficient evidence to have the 13 men bound over for trial.

NOW. Our concern to the foregoing. We are a party of 6, who in good faith, upon request accepted the responsibility to witness for the Crown & Kingston Detectives.

I'm sure one understands there is no way upon completion of hearing that we could be sent to any Federal Institution for our protection, for our co operation given.

Due to their lack of foresight in arrangements made in advance as to where the witnesses were to be housed, we were routed to an Ontario Institution namely Quinte Regional Detention Centre, Box 760, Napanee Ont.

This is a place of complete confinement, lacking all privileges as to recreation, radio, T.V., sports centre etc. and food is one word
NIL.

Our understanding is, we'd only be here for a few days & we were prepared to extend full co-operation & understanding. It was made clear to us we would be set free, as 1 of our group was set free within 2 days after his evidence given in court.

We expected to be routed accordingly, set free, or at least set up in better quarters of ~~normal~~ confinement if we are to continue in jail.

We all feel we did what was right and have given our utmost co-operation. We admit we received no promises as to our future in appearing in court.

We do want proper consideration and respect, instead of what we are experiencing to date.

in a movement to an environment (archival).

Now we're at a loss to understand what we did wrong & why we're not receiving our rights, due consideration. accordingly & fully understanding the Supt. position. He who extended on our behalf his full interest & concern as to his present situation. He did not expect our stay to be as long as this.

In endeavoring to receive information as to our future & using means to expediate a reply, we're again at a loss to understand the UNCONCERN IRRESPONSIBLE attitude especially when we've placed our LIVES in jeopardy & no way can return to jail. It is obvious to us why we can't.

He would ASK, Will you ASSIST our cause. Please come to our aid. He are human beings BOUND in darkness.

COME to Napanee, CONVERSE with us let some light in. Please HELP.

Sincerely trusting you'll come to our aid. On behalf of 6 in darkness.

s.19(1)

Box 460
Napanee

CANADA

Ministère du Procureur
Général

Department of the
Solicitor-General

TO: SOLICITOR-GENERAL
AU: SOLLICITEUR-GÉNÉRAL

(on file)

20/iii/71

☐ POUR AUTORISATION
POUR APPROVAL

☐ FOR SIGNATURE
POUR SIGNATURE

☒ POUR INFORMATION
FOR INFORMATION

☐ FOR DIRECTION
POUR DIRECTIVE

☐ SUR SA DEMANDE
AS REQUESTED

☐ TO NOTE AND RETURN
PRENDRE NOTE ET
RENNVOYER

DICTATED BY
DICTÉ PAR

DATE

DACTYLOGRAPHIÉ PAR
TYPED BY

DATE

*Il semble que l'auteur
probable de ces "propos
indistincts" sera la réunion
pour laquelle le Procureur
optera.*

Belley

000036



TO
A

Solicitor General

MEMORANDUM

CLASSIFICATION

RECEIVED
OFFICE OF THE SOLICITOR GENERAL
YOUR FILE No.
Votre dossier

AUG 30 11 41 AM '71
YOUR FILE No.
Notre dossier

646-5/29-1

FROM
De

Deputy Solicitor General

DATE August 30, 1971

FOLD

SUBJECT
Sujet

Preferred Indictment-Knight-Kingston Disturbance

In accordance with your conversation with Commissioner Faguy, Mr. J.H. Hollies went to Toronto on Friday to discuss the laying of a preferred indictment against Knight. You will recall that Knight was the alleged ring leader of the disturbances at Kingston and was discharged on the preliminary inquiry because of failure of identification.

Mr. Hollies spoke with Mr. D.A. McKenzie who is counsel for Criminal Appeals and Special Prosecutor in the Ontario Department of Justice. Mr. McKenzie spent about an hour discussing the case but did not come to any final conclusions. He wishes to see the transcript and also speak to the prosecutor. When he has done this, he will then discuss the case with the Deputy Attorney General and the Director of Public Prosecutions. Mr. Hollies is of the view that Mr. McKenzie is favourably disposed to the preferred indictment procedure and that the prosecutor is similarly minded.

A decision in this matter is not likely for approximately 10 days to two weeks at a minimum since the senior officials who must be consulted are attending the Canadian Bar Convention.

E.A. Côté
Deputy Solicitor General

CANADA

Ministère du Solliciteur-
Général

Department of the
Solicitor-General

TO: SOLICITOR-GENERAL
AU: SOLLICITEUR-GÉNÉRAL

☐ POUR AUTORISATION
FOR APPROVAL

☒ FOR SIGNATURE
POUR

☐ POUR INFORMATION
FOR

☐ FOR DIRECTION
POUR DIRECTIVE

☐ SUR SA DEMANDE
AS REQUESTED

☐ TO NOTE AND RETURN
PRENDRE NOTE ET
RENOYER

DICTATED BY
DICTÉ PAR R.M.J. LaBrosse 17-8-71
DATE

DACTYLOGRAPHIÉ PAR M. Labonté 17-8-71
TYPED BY _____ DATE

Labonté

*for min's registry
Ljo*

000038

MEMORANDUM

GOVERNMENT OF CANADA



NOTE DE SERVICE

GOUVERNEMENT DU CANADA

Document disclosed under the Access to Information Act
Document divulgué en vertu de la Loi sur l'accès à l'information

FROM
DE

ACTING EXECUTIVE ASSISTANT

TO
À

MR. P.A. FAGUY,

COMMISSIONER OF PENITENTIARIES

SUBJECT
SUJET

Housing of Inmates testifying at the Trial
at Nananee, Ontario.

SECURITY - CLASSIFICATION - DE SÉCURITÉ

OUR FILE - RÉFÉRENCE

646-5/29-1

YOUR FILE - RÉFÉRENCE

DATE

August 17, 1971

Attached hereto for your consideration is a copy of a letter received from Mr. L.R. Hackl, Deputy Minister of the Department of Correctional Services of Ontario, together with a copy of the Minister's reply.

Your letter File No 141/6 (1) dated 27 July, 1971 refers.

JOHN R. CAMERON

RMJLABROSSE/ML
Att.

J.R. Cameron.

646-5/29-1

August 17, 1971
OTTAWA, Ontario
K1A 0P8

Dear Mr. Hackl:

Thank you very much for your letter of August 11, 1971 concerning arrangements for the housing of the penitentiary inmates who are testifying at the trial now underway at the Napanee gaol.

I have taken good note of your comments and suggestion, and I am forwarding a copy of your letter to the Commissioner of Penitentiaries for his consideration.

The assistance and co-operation of your Department in this matter is greatly appreciated.

Yours sincerely,

Original Signed by
JEAN - PIERRE GOYER

Jean-Pierre Goyer.

RMJLABROSSE/ML


CC: Commissioner of Penitentiaries

Mr. L.R. Hackl,
Deputy Minister,
Department of Correctional Services,
434 University Avenue,
Toronto 2, Ontario.

SOLICITOR GENERAL OF CANADA

SOLLICITEUR GÉNÉRAL DU CANADA

MEMORANDUM

*Mr Hackl sent a copy of this letter
to Mr Fite' who is having a
reply prepared.*

*by
16 Aug 71*

RECEIVED
OFFICE OF THE
SOLICITOR GENERAL
DEPARTMENT OF CORRECTIONAL SERVICES
434 UNIVERSITY AVENUE • TORONTO 2 • ONTARIO



TELEPHONE
365-4341

Office of the Deputy Minister

August 11, 1971.

The Honourable Jean-Pierre Goyer,
B.A., S.A., LL.B.,
Solicitor General of Canada,
House of Commons,
OTTAWA KLA OP8, Ontario.

Dear Mr. Minister:

Before leaving the city my Minister instructed that I reply to your letter of July 27, 1971. He is most anxious that every possible assistance be given to you and your officials in the housing of the penitentiary prisoners who will be testifying at the forthcoming trial.

In Mr. Sinclair's discussion with your Regional Director it was felt that, in addition to maintenance costs and rental charges, you would be willing to accept any costs which may be involved in transporting your inmates from one jail to another in the event of overcrowding, as well as any costs which may be incurred in posting extra staff on occasions when this may be necessary.

As you suggested in your letter, to overcome the legal problems involved in our holding penitentiary inmates, we would be prepared to accept a nominal rental charge of \$1.00 per inmate per day.

To date the per diem cost of maintaining a prisoner in the new Quinte Regional Detention Centre is \$19.90 and I assume you would be prepared to accept invoices at this rate.

In the event that we do receive as many as forty inmates, it will undoubtedly be necessary to locate them at various jails such as Brockville, Peterborough, Lindsay and Perth, as well as at the Quinte Regional Detention Centre. We do

...

The Honourable Jean-Pierre Goyer

Page 2.

not see Millbrook as being suitable for the purpose of holding your inmates because of the attitude which might be shown to them by the type of offender who is already at Millbrook.

I would suggest that your Regional Director keep in close touch with Mr. Sinclair as it may be necessary to alter plans periodically in view of the fluctuating population in the jails.

We are happy to be able to cooperate with you in these circumstances, and I trust that your Regional Director will not hesitate to call Mr. Sinclair should any problems arise.

Yours sincerely,


L. R. Hackl,
Deputy Minister.

CONFIDENTIAL

[REDACTED]
OTTAWA K1A 0P8
August 16, 1971

Dear Sir:

s.19(1)

Herewith included is an unsealed letter addressed to one of your patients, [REDACTED], admitted to your hospital on August 6, 1971.

Mr. Robertson is an inmate of the Millhaven Institution who was incarcerated at the Napanee Gaol for protection reasons as he was a witness for prosecution at a trial of some other inmates charged for criminal offences. He has written to the Minister of Justice complaining of deprivation of privileges at the Napanee Gaol and has expressed apprehension as to his future as a result of his co-operation with the law enforcement agencies.

Being aware of his mental condition, may I leave it to your judgement as to whether or not this correspondence should be handed over to him in his present condition. If you decide to allow him to take knowledge of this letter, will you please seal it before transmittal.

Yours sincerely,

JOHN R. CAMERON

G. SURPRENANT/cag

J.R. Cameron
Acting Executive Assistant

DISTRIBUTION:

Encl.

The Superintendent,
Kingston Psychiatric Hospital,
King Street West,
KINGSTON, Ontario.

✓ MINISTER'S OFFICE: ORIGINAL & 2 COPIES
D/MINISTER: 1 COPY
COMMISSIONER: 1 COPY
FLOATER
FILE
SECRETARIAT: 2 COPIES
SHANNON

[REDACTED]
OTTAWA K1A 0P8

August 16, 1971

Dear [REDACTED]:

Your letter dated August 6, 1971, addressed to the Minister of Justice concerning matters related to your temporary incarceration at the Napanee Gaol was referred to this Department for answer.

It is fully realized that the privileges as available in our institutions are not so at the Napanee Gaol. However, this move was necessary for reasons of which you are undoubtedly aware.

May I express my sincere appreciation for the co-operation you have extended to the Superintendent of the Napanee Gaol and to other law enforcement agencies.

Yours sincerely,

JOHN R. CAMERON

G. SUPRENAINT/cag

J.R. Cameron
Acting Executive Assistant

DISTRIBUTION:

[REDACTED]
c/o The Superintendent,
Kingston Psychiatric Hospital,
King Street West,
KINGSTON, Ontario.

✓ MINISTER'S OFFICE: ORIGINAL & 2 COPIES
D/MINISTER: 1 COPY
COMMISSIONER: 1 COPY
FLOATER
FILE
SECRETARIAT: 2 COPIES
CHANNON

s.19(1)

MEMORANDUM

GOVERNMENT OF CANADA



NOTE DE SERVICE

GOUVERNEMENT DU CANADA

FROM
DE

Commissioner of Penitentiaries

TO
À

Mr. J.R. Cameron
Acting Executive Assistant

SUBJECT
SUJET

WITNESSES AT KINGSTON TRIALS

SECURITY - CLASSIFICATION - DE SÉCURITÉ

OUR FILE — N/RÉFÉRENCE

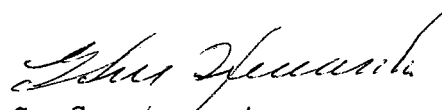
6646 ROBERTSON, D.H.

YOUR FILE — V/RÉFÉRENCE

DATE

August 13, 1971

1. Reference your memo dated August 10, 1971 on the above-mentioned subject.
2. The attached correspondence is forwarded for signature. May I call your attention to the necessity of including the letter addressed to the inmate, unsealed, in the letter addressed to the Superintendent of the Kingston Psychiatric Hospital.


G. Surprenant
Chief, Secretariat
for Commissioner

Att.

000046

Ottawa, Ontario
KIA OP8
August 10, 1971

Dear Mr. Martin:

I have for acknowledgment your letter of
July 5, 1971.

In reply to your statement regarding the assistance of counsel in the presentation of a list of grievances by the Prisoners' Committee, I can only re-iterate what I wrote in my letter of June 16, 1971, namely, that neither I nor the penitentiary authorities made any promises to the inmates and I must insist that it was not within the terms of reference of the Citizens' Advisory Committee to do so.

As I pointed out in my letter, the terms of reference of the Commission of Inquiry provide for, inter alia, the investigation and reporting upon the immediate causes of the disturbances at Kingston Penitentiary. It follows, therefore, that the Commission is required to hear inmates' grievances and I would expect that the inmates will take advantage of the opportunity. In this connection, I stated that I had been assured the Ontario Provincial Authorities and the Provincial Bar would provide the required legal aid.

I am pleased to note from your letter that the Defence Bar is prepared to provide counsel for this purpose whether or not counsel are remunerated.

Yours sincerely,

Original Signed by
JEAN - PIERRE GOYER

Jean-Pierre Goyer

JRC/hp

Mr. G. Arthur Martin, Q.C.,
P.O. Box 16,
Toronto-Dominion Tower,
Toronto-Dominion Centre,
Toronto, Ontario

MEMORANDUM
GOVERNMENT OF CANADA



NOTE DE SERVICE
GOUVERNEMENT DU CANADA

FROM
DE

A/Executive Assistant

TO
A

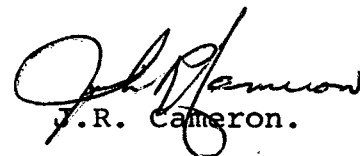
Deputy Solicitor General

SUBJECT
SUJET

Letter of Arthur Martin dated July 5, 1971.

OUR FILE - N/RÉFÉRENCE	
YOUR FILE - V/RÉFÉRENCE	
DATE July 30, 1971.	
REFER REPLY TO ENVOYER LA RÉPONSE À	TEL. NO. TÉL.

Reference your minute to memorandum of July 7, 1971 the Minister considers that an acknowledgment should be made in and that it should re-affirm very briefly what was said in his letter of June 16, 1971 and that he has nothing to add.


J.R. Cameron.

**SOLICITEUR GÉNÉRAL
ADJOINT**

**DEPUTY
SOLICITOR GENERAL**

14/vii/71

Mr. J. R. Cameron

Does the S.G. have
any guidance to give us
to the sort of reply we
does he prefer to let the
letter lie unanswered?

Early

MEMORANDUM

GOVERNMENT OF CANADA



NOTE DE SERVICE

GOUVERNEMENT DU CANADA

DM SM
SOL GEN

FROM
DE

A/Executive Assistant

TO
A

Deputy Solicitor General

SUBJECT
SUJET

Letter of G. Arthur Martin dated July 5, 1971.

OUR FILE - N/RÉFÉRENCE 12-5-4 - 646-5/29-1	
YOUR FILE - V/RÉFÉRENCE DM	
DATE July 7, 1971.	
REFER REPLY TO ENVOYER LA RÉPONSE À	TEL. NO. TÉL.

The attached copy of a letter dated July 5, 1971 to the Solicitor General from Mr. J. Arthur Martin is forwarded for attention please and the preparation of a further reply or ~~a~~ acknowledgment to Mr. Martin.


J.R. Cameron.

000050

G. Arthur. Martin, P.C., M.P.

The Honourable Jean-Pierre Goyer,
Solicitor General of Canada,
Ottawa, K1A 0P8,
Ontario.

Dear Mr. Minister:-

I acknowledge receipt of your letter of
June 16th, 1971.

In your letter you suggest that it was not
within the Terms of Reference of the Citizens' Committee to
make promises to the prisoners.

I stated in my letter to you of April
26th, 1971, that the Citizens' Committee considered and does
consider that the proposal of the Prisoners' Committee that
the prisoners would have the assistance of Counsel in presenting
a list of grievancies to an appropriate Board or Tribunal was
accepted by your Department.

While I would have some doubts as to whether
the Ontario Legal Aid Plan contemplates providing Counsel solely
for the purpose of presenting grievancies by inmates I have
been informed following my letter to you of May 27th, 1971, that
the Defence Bar will provide Counsel for this purpose whether or
not Counsel are remunerated.

Yours sincerely,

July 5th, 1971.

G. Arthur Martin

P. O. Box 16,
Toronto Dominion Tower,
Toronto-Dominion Centre,
Toronto 1, Canada.

OFFICE OF THE
SOLICITOR GENERAL
JUL 6 12 01 PM '71

12-5-7
File: 185/12(1)

Ottawa, KIA OP8,
June 16, 1971.

Dear Mr. Martin:

Thank you for your letter of May 27, 1971, concerning the disturbance at Kingston Penitentiary and its aftermath.

As you mentioned in your letter, no list of grievances had been prepared by the Prisoners' Committee. As you will remember, neither I nor the penitentiary authorities made any promises to the inmates and I would suggest that it was not within the Terms of Reference of the Citizens' Advisory Committee to do so.

The Terms of Reference of the Commission of Inquiry state, inter alia, "to investigate and report upon: (a) the immediate cause or causes of the said disturbances;". This certainly requires the Commission to hear the inmates' grievances and I am sure that the inmates will take advantage of the opportunity.

If Counsel is necessary, I have been assured that the Ontario Provincial authorities and the Provincial Bar would provide the required legal aid. Should there be any deficiencies in this regard, I shall be happy to so advise you.

May I thank you again for writing to me about this matter.

Yours sincerely,

Jean-Pierre Goyer.

G. Arthur Martin, Esq., Q.C.,
P.O. Box 16,
Toronto-Dominion Tower,
Toronto-Dominion Centre,
Toronto 1, Ontario.

J.R. Stone/SR

Distribution:
Min's. Office (2)
D/S/G (1)
Mr. Hollies (1)
COMM. (1)
SEC (1)
Floater (1)
Shannon (1)

c.c. for the information of: Commissioner of Penitentiaries

(File No. 646-5/29-1)

Ottawa, Ontario,
K1A 0P8

May 6, 1971

Dear Mr. Martin:

Thank you for your letter of April 26th which was acknowledged, in my absence, by the Deputy Solicitor General.

To take the last paragraph of your letter first, speaking on behalf of yourself and the persons who constituted the "Citizens' Committee" during the course of the disturbances at Kingston between April 14 and 18, you ask that the alleged incidents of beating of prisoners by guards be fully investigated and appropriate charges in the Criminal Courts be laid if warranted by the evidence.

As you are no doubt aware a preliminary investigation was immediately conducted by Penitentiary authorities when this allegation was made. In addition, the Commission of Inquiry, headed by Mr. J. W. Swackhamer, Q.C. has terms of reference which cover any such allegation or occurrence. Thirdly, the Ontario Provincial Police has an investigation into these allegations under way.

I appreciate very much your concern and would be pleased to meet with you to discuss the matter. I am leaving today for the West and will be away for six days. In the meantime, if your Secretary could get in touch with Miss A.-M. Hamon in my office, they can arrange for us to meet in Ottawa some time after the 13th of May, at your convenience.

Yours sincerely,

Jean-Pierre Goyer

BCHOFLEY/EACOTE/ROP

Mr. G. Arthur Martin, Q.C.,
Barrister, etc.,
P.O. Box 16,
Toronto Dominion Tower,
Toronto-Dominion Centre,
Toronto 1, Ontario

646-5/29-1

G. Arthur Martin, B.C. LL.D.

The Honourable Jean-Pierre Goyer,
Solicitor General of Canada,
Sir Wilfred Laurier Building,
340 Laurier Avenue West,
Ottawa, Ontario.

RECEIVED
OFFICE OF THE
SOLICITOR GENERAL
24 10 12 42 PM '71

646-5/29-1
DM

Dear Mr. Minister:-

I am gravely concerned by the information which I have received that two members of the Prisoners' Committee have been seriously injured by prison guards in the course of being transferred from Kingston Penitentiary to Millhaven.

The Citizens' Committee appointed by your Department, as a consequence of the riot at Kingston Penitentiary, made certain proposals with respect to the surrender by prisoners in Kingston Penitentiary and the subsequent transfer of prisoners to other Federal Penitentiaries. A proposal was also made with respect to the presentation of grievances by the Prisoners' Committee.

The substance of those proposals was as follows:

1. That prisoners would emerge from the cell blocks under the observation of the Citizens' Committee and prisoners being transferred to other Federal Penitentiaries would be transferred under the observation of members of the Citizens' Committee. It was proposed that a guard held as hostage by the prisoners would be released concurrently with the surrender of each group of sixty prisoners until all the hostages were released.
2. That the Prisoners' Committee would have the assistance of Counsel in presenting a list of grievances, to be prepared by the Prisoners' Committee, to an appropriate Board or Tribunal under the observation of members of the Citizens' Committee.

-2-

The Citizens' Committee considered, and does consider, that these proposals were accepted by your Department and, in fact, prisoners emerged from the cell block area and hostages were released in substantial compliance with this formula on Sunday, April 18th. The Citizens' Committee acted as observers as the prisoners left the cell block area and of the transfer of prisoners which took place during the day of Sunday, April 18th.

At the time the proposal was made it was contemplated that approximately three hundred prisoners would leave the cell block area at Kingston as their names were called by the prison authorities. These prisoners would be immediately transferred to other Federal Penitentiaries. It was contemplated that approximately two hundred prisoners would remain at Kingston. Subsequent events, however, made it necessary to temporarily evacuate the entire inmate population from the cell block area with consequent delay in the transfer of some prisoners to other Penitentiaries.

The Citizens' Committee assumed that, with the peaceful re-occupation of Kingston Penitentiary achieved, the assurance that the prisoners would not be subject to illegal violence from guards during subsequent transfers to other Penitentiaries, which was inherent in the right of the Citizens' Committee to observe and inspect, would be carried out by the prison officers.

I am informed, however, that on Wednesday, April 21st, a number of prisoners who had remained at Kingston Penitentiary were transferred to Millhaven and that it was during the course of this transfer that some inmates were beaten and seriously injured.

On behalf of the Citizens' Committee I requested your Department on Friday, April 23rd, to permit the Citizens' Committee to visit Millhaven to investigate the information which the Committee had received with respect to the beating of inmates. The request of the Committee was refused.

On behalf of the Citizens' Committee and myself I wish to take issue with the policy of your Department in refusing the request of the Citizens' Committee. Such refusal was, in our view, contrary to the spirit of the right of observation and inspection by the Citizens' Committee agreed to by your Department.

Such a narrow interpretation of the role of the Citizens' Committee is, in my view, unfortunate, and incompatible with the assurances that the Committee gave, with the approval of your Department.

-3-

A feeling among the inmates that either the Citizens' Committee or the Government has failed to carry out assurances with respect to safeguarding prisoners from illegal violence at the hands of guards will inevitably have a serious and unfortunate effect on inmate attitudes and will create feelings of injustice and bitterness.

The Committee urges that alleged incidents of the beating of prisoners by guards be fully investigated and appropriate charges in the Criminal Courts be laid if warranted by the evidence.

Yours sincerely,

A handwritten signature in dark ink, reading "G. Arthur Martin". The signature is written in a cursive style with a large, stylized "G" and "M".

April 26th, 1971.

P. O. Box 16,
Toronto Dominion Tower,
Toronto-Dominion Centre,
Toronto 1, Canada.

B1-17 Aug 71
9

MEMORANDUM

GOVERNMENT OF CANADA



NOTE DE SERVICE

GOUVERNEMENT DU CANADA

URGENT

FROM
DE

A/EXECUTIVE ASSISTANT

TO
À

COMMISSIONER OF PENITENTIARIES

SUBJECT
SUJET

WITNESSES AT KINGSTON TRIALS - DENNIS H. ROBERTSON et al

The attached copy of a letter addressed to the Minister of Justice by Dennis H. Robertson et al is forwarded for consideration and preparation of a reply for the Minister's signature.

Please treat as urgent and if definitive reply cannot be given at this time an interim reply or acknowledgment is required.

JOHN R. CAMERON

J.R. CAMERON

JRC/hp

SECURITY - CLASSIFICATION - DE SÉCURITÉ
OUR FILE - N/RÉFÉRENCE
YOUR FILE - V/RÉFÉRENCE 13-H-28-12-5-4
DATE August 10, 1971

MINISTER OF JUSTICE - MINISTRE DE LA JUSTICE

Date ...August...6,...1971.....

Forward to Mr. John R. Cameron,
Faire suivre

ACTION REQUEST - FICHE DE SERVICE:

Reply for signature of
Réponse pour la signature du

Please see me re this
S.V.P. me voir à ce sujet

Attention XXX - not acknowledged.
Attention

Information
Renseignement

Note and return
Noter et retourner

Note and return with comments
Noter et retourner avec commentaires

Return with file
Retourner avec dossier

Approval or revision before mailing
Approbation ou revision avant de poster

Other instructions:
Directives supplémentaires:

..... Michael W. Hunter 000058
Executive Assistan ..

P.O. BOX 760

NAPANEE

ONTARIO

Minister's Office
Bureau du Ministre

AUG 6 1971

RECEIVED
OFFICE OF THE
SOLICITOR GENERAL

JUL 9 9 05 AM '71

31816

Mr. John Turner;
Dear Sir:

Further to the Kingston Riot, we are six of the people or persons who in good faith represented for the Crown, and Detectives in Kingston Ont., assistance in the bounding over for trial, the thirteen inmates charged for murder & brutal assaults of the forgoing.

We employ your assistance to assist our cause, as to our experiences of concern and some what of appreciation, and understanding to date.

As much as we have been routed to an Ontario Institution for protective reasons. Which is well understood on our part, owing to our lifes being in a pracious position in putting us back into a Federal Institution.

Where we have experienced a complete change to our privileges, and routine of life understanding, and respecting the position of the Superintendent, here.

We find ourselves at a loss to understand the lack of concern and consideration of the responsible people as to our grievances and the procrastination of indecision, as to our future place, of stay or assurance to reinstatement of our previous privileges, such as canteen, recreation, movies, T.V, etc. And above all the non-productive environment of just laying and sitting around, for about sixteen hours per day, each day.

Except when a party was set free and inturn right from court. Serving only three or four months on a 3½ year sentence.

As a last resort we would ask if your office could intervene to insure our rights and respect to our assistance, to further insure that these people remain intact of sound mind, proper morale, attitude and disposition to assist the Crown, and Detectives position to the future of the case as they have extended their best efforts within their jurisdiction.

We are much concerned as to what

we are wrong, even tho' no undertakings or promises were given. We thought that foresight as to the forgoing and assurance of intackment as to place of stay and utmost concern would have been at hand on completion of our part to date.

And our indeavouring to expedite reasons as to pro and cons, to no avail or firm committment.

Our trust is in your respecting our concern and your utmost of discretion and assistance.

We Remain Respectfully Yours;

Mr. Dennis H. Robertson
Mr. W A D Christie
Mr. L. Zelinsky
Mr. Jack Lambert
John P. F. Avery
Mr. Arthur Bernath

P.O. BOX 760
NAPANEE
ONTARIO



Mr. John Turner,
Parliament Buildings,
OTTAWA, Ontario.

000061

6232 (1)

OTTAWA, K1A 0P8

August 5, 1971

Dear Mrs. Tait:

Your letter of July 17, 1971 addressed to the Honourable John Turner, Minister of Justice, has been referred to me as Minister responsible for federal penitentiaries for reply.

While I appreciate your concern I must point out that these inmates were placed in dissociation not because they were accused persons on trial but because of the tense situation at Millhaven Institution. There was indication that trouble was brewing and action had to be taken to ensure the safety of other inmates.

The matter of keeping such inmates in dissociation is under careful review and it is hoped that in the near future we will be able to relocate them in regular cells providing of course that their conduct so justifies and it is demonstrated that they will not attempt to create another disturbance.

Thank you for your interest in this matter.

Yours sincerely,

Original signed by
JEAN - PIERRE GOYER

Jean-Pierre Goyer

DISTRIBUTION:

Mrs. Ruth Tait,
125 Farnham Avenue,
Toronto 190, Ontario.

WJMEDER/sf

Minister's Office:	Original and 2 copies ✓
D/Minister:	1 copy
Commissioner:	1 copy
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	File
Secretariat:	2 copies
	Shannon

MEMORANDUM

GOVERNMENT OF CANADA



NOTE DE SERVICE

GOUVERNEMENT DU CANADA

RECEIVED OFFICE OF THE SOLICITOR GENERAL JUL 30 3 19 PM '71
SECURITY CLASSIFICATION - DE SÉCURITÉ
OUR FILE — N/RÉFÉRENCE 6232 (1)
YOUR FILE — V/RÉFÉRENCE
DATE August 5, 1971

FROM
DE

Commissioner of Penitentiaries


FOR

Mr. J.R. Cameron
Acting Executive Assistant

SUBJECT
SUJET

Inmates in Solitary Confinement

1. Reference is made to your memo of July 27, 1971.
2. Attached is a letter of reply to Mrs. Tait for the signature of the Minister.


Chief, Secretariat
for Commissioner

Att.

BF 6 Aug 71

MEMORANDUM

GOVERNMENT OF CANADA



NOTE DE SERVICE

GOUVERNEMENT DU CANADA

FROM
DE

A/EXECUTIVE ASSISTANT

TO
À

COMMISSIONER OF PENITENTIARIES

SUBJECT
SUJET

INMATES IN SOLITARY CONFINEMENT - KINGSTON PENITENTIARY

SECURITY - CLASSIFICATION - DE SÉCURITÉ
OUR FILE - N/RÉFÉRENCE
YOUR FILE - V/RÉFÉRENCE 12-5-4.
DATE July 27, 1971

The attached copy of a letter dated July 17, 1971, and news clipping, to the Minister of Justice from Mr. Marcus Tait, 125 Farnham Avenue, Toronto 190, is forwarded for the preparation of a reply by the Solicitor General, please.

J.R. Cameron

JRC/hp

MINISTER OF JUSTICE - MINISTRE DE LA JUSTICE

Date RECEIVED July 19, 1971.

Forward to Mr. John R. Cameron,
Faire suivre JUL 21 1971

ACTION REQUEST - FICHE DE SERVICE:

Reply for signature of
Réponse pour la signature du

Please see me re this
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Attention XXX - not acknowledged.
Attention

Information
Renseignement

Note and return
Noter et retourner

Note and return with comments
Noter et retourner avec commentaires

Return with file
Retourner avec dossier

Approval or revision before mailing
Approbation ou revision avant de poster

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Directives supplémentaires:



Michael W. Hunter
Executive Assistant 000065

Murder charge

Lawyers fail to get 13 out of solitary

By MICHAEL VALPY

Globe and Mail Reporter

KINGSTON — The lawyers for 13 penitentiary inmates accused of murdering two other prisoners pleaded unsuccessfully yesterday to have the men moved out of solitary confinement where they have been held for weeks.

At the end of a four-day preliminary hearing on the charges, the lawyers told Ontario Chief Provincial Judge Arthur Klein that their clients are being held under inhumane, medieval conditions detrimental to their sanity.

Ten of the prisoners have been in solitary in Kingston Penitentiary for five weeks. Two others have been in solitary in Millhaven maximum-security prison for more than two weeks. The 13th man is being treated in Kingston Penitentiary Hospital.

All were committed yesterday afternoon to stand trial on two counts of non-capital murder.

The battered body of inmate Brian Ensor was found by prison officials on April 18 at the conclusion of a four-day occupation of Kingston Penitentiary. Bertram Robert, another inmate, died of injuries several days later.

Judge Klein rejected the argument by Toronto lawyer Clayton Ruby that a judge, in issuing a warrant of commitment for trial, had the authority to direct where the accused should be held.

Mr. Ruby urged the judge to order that the men be moved to the medium security institution at nearby Collin's Bay.

He said his client, Brian Dodge, 27, was being kept in a cell measuring nine by six feet and 12 feet high. The cell had one window, high on the wall, and a 5½-foot bed. Mr. Ruby said Dodge was allowed out for exercise only 30 minutes a day.

"For eating and drinking, he has a bowl which resembles the bowl I use to give food to my dog. I've spoken to the authorities but they say nothing can be done. The cells I've outlined aren't fit for holding any human being."

Harold Rosenthal of Toronto, defending Wayne McGurkin, 23, said the treatment of the accused inmates was directly related to the publicized conduct of some of them in the courtroom.

There have been scuffles and occasional outbreaks of shouting.

After a brief fight at the noon recess between two or three inmates and Kingston police and prison guards, Inspector Wilfrid Kealey of the police decided the prisoners should not be brought back into the court to hear the judge make his ruling on their confinement.

"We've had enough noise," the inspector said.

Mr. Rosenthal argued: "We should avoid in any way having these men arrive for trial as mental and emotional cripples."

Toronto lawyer R. P. Armstrong, defending James Oag, 24, said his client had to ask him to speak in a whisper when he interviewed him in his cell because the man was not used to hearing human voices.

George Conn of Toronto said he had already noticed a deterioration of willpower and ability to concentrate in his client, David Birt, 24.

The lawyers said their clients were apparently not being punished for any offence other than having been charged with murder.

They said the men were receiving regular diet, and lawyer David Humphrey of Toronto said that the deputy warden, out of his own

pocket, had bought each of the inmates a transistor radio.

Crown attorney John Sampson told the court that he was in agreement with the defence counsel that the inmates should receive humane treatment. "But it seems to me it's up to the prison authorities to decide where the prisoners should be kept."

Publication of testimony at the hearing was prohibited at the request of lawyers for all of the accused. Their trial will likely be held in September or October.

The others charged are: Glenn Morris, 25, Edward Fowler, 18, Robert Robidoux, 18, David Shepley, 24, Harold St. Amour, 39, Ernest Bugler, 24, Donald Oag, 20, Brian Beaucage, 23, and Edward Johnston, 22.

Document disclosed under the Access to Information Act.
Document divulgué en vertu de la Loi sur l'accès à l'information.

Some observers suggested that the Pakistani Government may have acted as a go-between, arranging Dr. Kissinger's flight in and out of the Chinese capital, without ever advising its embassy in Peking of its role. There are said to have been precedents for such a procedure in previous top-secret visits to Peking.

Mr. Nixon will make trip
[REDACTED] s are made

The official said a wide range of subjects was discussed.

"For example," the official said, "the President did not work on the substance of this in his office for fear that papers would be left behind and people might walk in and see (the President and Dr. Kissinger) working on the papers. So (they) usually met in the Lincoln Sitting Room in the evening, often after dinner, to go over the possible agenda and possible substance of these meetings." That was during April, May and June.

Mr. Nixon and Dr. Kissinger "thought it was best to keep it secret until it was completed in order not to raise excessive hopes and excessive speculation until there was something concrete to announce," the official said.

What impressions did Dr. Kissinger bring back regarding the usefulness of the forthcoming trip of the President? The officials would not comment specifically, but one said:

"My impression is that the Chinese leaders are not so much concerned with the specific mechanics of this or that problem, but with the longer-term or medium-term problem of what we expressed in the communique as normalizing relations.

"On the Chinese side one has the impression also of great seriousness of purpose. I believe both sides will behave in a responsible manner, keeping in mind the long term objectives . . . it was not a conversation in which either side was trying to hold the other one up."

At another point in the one-hour briefing, an official was asking whether Dr. Kissinger came away with any "improved hopes or greater optimism about the Vietnam peace negotiations."

The official declined to discuss "any particular issue" but added: "In general, I came away with increased hope for peace in the world and with a conviction that both sides are going to make serious efforts to bring about an improvement of relations."

3/
Please, Mr. Turner, rescue these
men and make our penal
system better. I believe in
You - Blessings!

Yours sincerely,
Ruth [initials]

July 17/71

Minister's Office Bureau du Ministre	
JUL 19 1971	
MIN.	
Asst.	
SP. Asst.	
SP. Asst.	
Sec.	
Asst. Sec.	

Dear Mr. Turner,

I appeal to you in the
Confidence that you will use your
power to correct an injustice -
The enclosed clipping tells the
story. Men who have had
no trial are being kept in

RJS
2

2/
Solitary confinement in Kingston
penitentiary - I am deeply
shocked. The crown attorney
says "... it's up to the prison
authorities to decide where the
prisoners should be kept."
What happens if the prison
authorities are not human?

Mrs. Marcus Tait
125, Farnham Ave.
Toronto 190.



The Hon. John Turner,
Minister of Justice,
Parliament Bldgs.,

Urgent

Ottawa, Ont.

MEMORANDUM
GOVERNMENT OF CANADA



NOTE DE SERVICE
GOUVERNEMENT DU CANADA

FROM
DE

A/Executive Assistant

TO
A

Deputy Solicitor General

SUBJECT
SUJET

Letter of Arthur Martin dated July 5, 1971.

OUR FILE - N/RÉFÉRENCE	
YOUR FILE - V/RÉFÉRENCE 12-5-4.	
DATE July 30, 1971.	
REFER REPLY TO ENVOYER LA RÉPONSE À	TEL. NO. TÉL.

Reference your minute to memorandum of July 7, 1971 the Minister considers that an acknowledgment should be made in and that it should re-affirm very briefly what was said in his letter of June 16, 1971 and that he has nothing to add.

JOHN P. CAMERON

J.R. Cameron.

File: 141/6 (1)

OTTAWA, K1A 0P8,
July 27, 1971.

Dear Mr. Apps:

The Regional Director of Penitentiaries for Ontario has been in telephonic communication with Mr. Don Sinclair, Executive Director of Institutions for the Ontario Department of Correctional Services, concerning the housing of penitentiary inmates who are giving evidence at the preliminary hearings in connection with the charges arising from the disturbance at Kingston Penitentiary earlier this summer. I am writing to you to obtain formal approval of the arrangements made between our Regional Director and Mr. Don Sinclair.

These inmates giving evidence must be protected. It is impossible to afford them proper protection in the penitentiaries and we require accommodation for up to forty such inmates. We, of course, are quite prepared to pay a per diem rate for their maintenance and we also require a nominal rental charge for accommodation in order to overcome the legal problems of incarcerating penitentiary inmates in provincial institutions.

Mr. Sinclair expressed his willingness to cooperate and said that all forty could not be accommodated at the Napanee Jail but that they could be allocated to several institutions, including the maximum security institution at Millbrook.

The Penitentiary Service would be responsible for transporting the inmates from jail to court and for the escorts.

It would appear that the trials will take place in September. It would, therefore, appear that these inmate witnesses would need to be accommodated at least until the end of September. Of course, there is no certainty that the trials will be finished then.

The Hon. C.J.S. Apps,
Minister of Correctional Services,
Province of Ontario,
Parliament Buildings,
Toronto, Ontario.

...../2

- 2 -

On the order of the Presiding Judge, those inmates who have already given evidence were taken to the County Jail at Napanee. Apparently the facilities there are filled to capacity and, when more inmates give evidence, the situation will become a serious one, unless the provision of additional accommodation in provincial institutions is provided.

I shall be grateful if you would confirm the arrangements agreed to by Mr. Sinclair and let me have particulars of the institutions in which our inmate witnesses can be accommodated, the per diem rate for their maintenance and the rental charge for the accommodation in which they are to be held.

Thank you very much for the cooperation already demonstrated by your Department and I am certain that, between us, we can find a solution to this quite difficult problem.

Yours sincerely,

Original Signed by
JEAN - PIERRE GOYER

Jean-Pierre Goyer.

J.R. STONE/SR

Distribution: Minister (2) ←
D/S/G
COMM.
SEC.
FLOATER
SHANNON
FILE



MEMORANDUM

CLASSIFICATION

TO
A

AU MINISTRE

RECEIVED
OFFICE OF THE
SOLICITOR GENERAL
JUL 28 9 23 AM '71
YOUR FILE No.
Votre dossier

OUR FILE No.
Notre dossier 141/6(1)

FROM
De

DU COMMISSAIRE DES PENITENCIERS

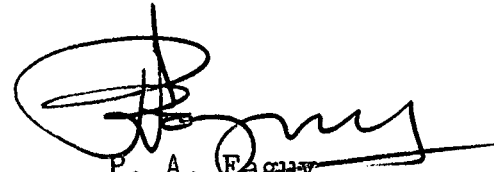
DATE

le 28 juillet 1971.

FOLD

SUBJECT
Sujet

Nous en avons discuté l'autre jour. Les représentants d'Ontario sont d'accord. Ils attendent votre lettre.


P. A. Eagay,
Commissaire.

Annexe

PAF/MBB

185/12(1)

OTTAWA, K1A 0P6
July 26, 1971

Dear Mr. Jackson:

This will acknowledge receipt of your letter of June 3, 1971 together with a clipping from the Kingston Whig Standard of the same date regarding the Commission of Inquiry into the April disturbance at Kingston Penitentiary.

There is no doubt that the trials of inmates charged with kidnapping and murder, and of officers charged with assault, will throw considerable light on what transpired during the disturbance. However the responsibility of the court is to determine only the guilt or innocence of those charged.

The reason for the appointment of a separate Commission of Inquiry is to provide detailed information for internal use in my Department. The type of information we are seeking is reflected in the terms of reference of the Commission which are to investigate and report upon:

- (a) the immediate cause or causes of the said disturbances;
- (b) the identity of those persons who fomented or acted as leaders in the said disturbances;
- (c) whether the disturbances were spontaneous or were planned, and if the latter, the extent and nature of the planning;
- (d) whether, if the disturbances were planned, knowledge of the planning came to the attention of any person in the employ of the Canadian Penitentiary Service or should have come to the attention of any such person;

. . . /2

Mr. A. Jackson,
242 Johnson Street,
Kingston, Ontario.

- 2 -

- (e) whether, if any person in the employ of the Canadian Penitentiary Service had knowledge as aforesaid, he took any preventive or other action, and if so, what action;
- (f) what bodily harm was occasioned to persons, whether inmate or staff, during the course of the said disturbances or related thereto, and the identity of the persons responsible for causing such harm;
- (g) the extent of damage to buildings and facilities caused in the course of the said disturbances;
- (h) whether existing security measures are adequate, were they carried out and what additional security measures, if any, should have been taken to minimize the risk that persons in the employ of the Canadian Penitentiary Service might be taken and held hostage by inmates.

I might add that while I do not propose to make public the full inquiry report it is my intention to make known to Members of the House of Commons any recommendations contained therein except in the case where the Commission requests that a specific recommendation not be made known.

Thank you for writing to me on this matter and please accept my apology for the delayed reply.

Yours sincerely,

Original Signed by

JEAN - PIERRE GOYER

Jean-Pierre Goyer

WJMEDER/sf

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MEMORANDUM

GOVERNMENT OF CANADA



NOTE DE SERVICE

GOUVERNEMENT DU CANADA

JUL 26 12 16 PM '71
GENERAL

FROM
DE

Commissioner of Penitentiaries

TO
À

Mr. J.R. Cameron
Acting Executive Assistant

SUBJECT
SUJET

Commission of Inquiry
Kingston Penitentiary

SECURITY - CLASSIFICATION - DE SÉCURITÉ

OUR FILE — N/RÉFÉRENCE

185/12(1)

YOUR FILE — V/RÉFÉRENCE

DATE

July 26, 1971

1. Reference is made to your memo of June 7, 1971.
2. Attached is a letter of reply to Mr. A. Jackson for the signature of the Minister.
3. The delay in preparing the reply is regretted.

Chief, Secretariat
for Commissioner

Att.

BF 174 June 71
Cy

MEMORANDUM
GOVERNMENT OF CANADA



NOTE DE SERVICE
GOUVERNEMENT DU CANADA

FROM
DE

A/EXECUTIVE ASSISTANT

TO
À

MR. PAUL FAGUY
COMMISSIONER OF PENITENTIARIES

SUBJECT
SUJET

Commissioners of Inquiry - Kingston Disturbance

OUR FILE - N/RÉFÉRENCE	
YOUR FILE - V/RÉFÉRENCE 12-5-4	
DATE June 7, 1971	
REFER REPLY TO ENVOYER LA RÉPONSE À	TEL. NO. TÉL.

The attached copy of a letter dated June 3, 1971, and press clipping, is referred for the preparation of a letter of reply for signature by the Solicitor General, please.

J.R. Cameron

000078

The Kingston Whig-Standard

Continuing since 1926 The British Whig founded 1834, and The Kingston Daily Standard, founded as The Kingston Gazette 1810

FORTY-FIFTH YEAR

Published by

KINGSTON WHIG-STANDARD CO. LTD. 302-310 King Street, Kingston, Ontario

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THURSDAY, JUNE 3, 1971

What's the Point?

Recent developments in the continuing story of violent unrest in the federal penitentiaries in these parts seem strongly to indicate that the secret hearings scheduled to open here on June 7 should be cancelled forthwith.

The in-camera enquiry ordered by the commissioner of penitentiaries under Part 11 of the *Public Inquiries Act* (Section 13 of the *Penitentiary Act*) gives the commission almost no authority to do anything realistic if those ordered to appear refuse to do so, or, if appearing, refuse to answer questions. The only penalty is a \$400 fine; hardly significant — at least to convince those already serving long terms and with no apparent financial standing. The fines cannot even be levied by the commission but must be the subject of court action.

The whole idea behind the creation of the commission appears to have been based on determination to conceal from the public just what actually goes on behind pen-

itentiary walls. It is simply a "departmental investigation." The responsible minister, Solicitor-General Goyer, has firmly stated that findings of the commission may *never* be tabled for public consumption. The whole business borders on the ludicrous.

This is the situation: 13 convicts now face trial for murder arising from fatal beatings given two convicts during the April uprising in Kingston Penitentiary; one of their number and five others face trial for kidnapping six guards as hostages; 11 guards at the new Millhaven Penitentiary appear today on 24 charges of assaulting convicts they were assigned to supervise. Incidentally, five convicts in Collins Bay Penitentiary are accused of rioting and injuring two guards on Monday night.

If the commission of enquiry actually begins its work next week, what conceivable information could it unearth which will not come out during the forthcoming trials?

000079

Minister PM's

Information Canada last fall
meeting at plush Gray
Inn in the Laurentians.
or officials of the works
ment met in April at
clusive Seignory Club at
bello, Que., at a cost of
75.

ks Minister Arthur
told Mr. Schumacher
eting was held in Mon-
50 miles east of here,
e the Seignory Club
onment . . . would min-
he potential conflict be-
the normal operating
sibilities of the partici-
and the conference
ves."

Denied

provincial grants for
schools through Grade
province now pays such
rough Grade 10.
meeting was delayed a
r while Mr. Davis was
ed. Mr. Davis left the
after 30 minutes, and
ting got under way
demonstrators left.

remanded examination

NTO (CP) — John
28, of Toronto, was
60 days for a mental
on Wednesday when
red in family court
ith failing to provide
ities of life for his
d son.
Glen, was admitted
pital for Sick Chil-
suffering from a

The World's Largest- Selling Gin.

242 JOHNSON ST.
KINGSTON, ONTARIO

June 7/71

RECEIVED
OFFICE OF THE
SOLICITOR GENERAL
JUN 7 9 07 AM '71

Solicitor-General Goyer
Parliament Bldg.,
Ottawa, Ont.

Dear Honorable Sir,

The encircled paragraph
in the enclosed clipping seems
to make sense.

Yours truly

Cl. Jackson

1231 (1)

OTTAWA, KIA 0P8

July 19, 1971

Dear Mr. Howard:

This will acknowledge receipt of your letter of July 12, 1971 concerning the correctional officers who were held hostage during the recent disturbance at Kingston Penitentiary.

The present situation with regard to these six officers is that one has resigned, four are on extended accident leave and one is performing duties in which he has limited contact with inmates who were involved in the disturbance.

Yours sincerely,

Original Signed /
JEAN - PIERRE GOYER

W.J.MEDER/cm

Jean-Pierre Goyer

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Mr. Frank Howard
Member of Parliament
House of Commons
Ottawa, Ontario
K1A 0A6

21 July 71
ey

MEMORANDUM

GOVERNMENT OF CANADA



NOTE DE SERVICE

GOUVERNEMENT DU CANADA

FROM
DE

A/EXECUTIVE ASSISTANT

TO
À

COMMISSIONER OF PENITENTIARIES

SUBJECT
SUJET

KINGSTON DISTURBANCES - HOSTAGES

The attached copy of a letter dated July 12, 1971 from Mr. Frank Howard, M.P., is forwarded for the preparation of a reply for signature by the Solicitor General, please.

JOHN R. CAMERON

J.R. Cameron

JRC/hp

SECURITY - CLASSIFICATION - DE SÉCURITÉ
OUR FILE - N/RÉFÉRENCE
YOUR FILE - V/RÉFÉRENCE 12-5-4
DATE July 14, 1971



RECEIVED
OFFICE OF THE
SOLICITOR GENERAL
HOUSE OF COMMONS
CANADA

JUL 13 2 33 PM '71

RECEIVED
OFFICE OF THE
SOLICITOR GENERAL
JUL 13 3 17 PM '71

O t t a w a
July 12th, 1971

The Honourable Jean-Pierre Goyer,
Solicitor General,
House of Commons,
O t t a w a, Ontario.

Dear Mr. Goyer:

Would you be so kind as to let me know whether the guards who were held hostage during the recent riot at the Kinston Penitentiary are still in any area where they have contact with inmates who were involved in the rioting.

Yours sincerely,

Frank Howard, M.P.,
Skeena.

per: *JB Dee*

MEMORANDUM

GOVERNMENT OF CANADA



NOTE DE SERVICE

GOUVERNEMENT DU CANADA

FROM
DE

Commissioner of Penitentiaries

RECEIVED
CLERK OF THE
SOLICITOR GENERAL
JUL 19 3 04 PM '71

TO
À

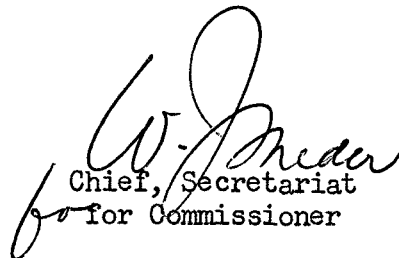
Mr. J.R. Cameron
Acting Executive Assistant

SUBJECT
SUJET

Hostages - Kingston Penitentiary Disturbance

SECURITY - CLASSIFICATION - DE SÉCURITÉ
OUR FILE — N/RÉFÉRENCE 1231 (1)
YOUR FILE — V/RÉFÉRENCE
DATE July 19, 1971

1. Reference is made to your memo of July 14, 1971.
2. Attached is a letter of reply to Mr. Frank Howard, M.P., for the signature of the Minister.


Chief, Secretariat
for Commissioner

ATT.

000085

MEMORANDUM
GOVERNMENT OF CANADA



NOTE DE SERVICE
GOUVERNEMENT DU CANADA

FROM
DE

A/Executive Assistant

TO
À

Deputy Solicitor General

SUBJECT
SUJET

Letter of G. Arthur Martin dated July 5, 1971.

OUR FILE - N/RÉFÉRENCE	
YOUR FILE - V/RÉFÉRENCE 12-5-41	
DATE July 7, 1971.	
REFER REPLY TO ENVOYER LA RÉPONSE À	TEL. NO. TEL.

The attached copy of a letter dated July 5, 1971 to the Solicitor General from Mr. J. Arthur Martin is forwarded for attention please and the preparation of a further reply or a acknowledgment to Mr. Martin.


J.R. Cameron.

G. Arthur Martin, D.C., LL.D.

The Honourable Jean-Pierre Goyer,
Solicitor General of Canada,
Ottawa, K1A 0P8,
Ontario.

RECEIVED
OFFICE OF THE
SOLICITOR GENERAL
JUL 6 12 07 PM '71

Dear Mr. Minister:-

I acknowledge receipt of your letter of
June 16th, 1971.

In your letter you suggest that it was not
within the Terms of Reference of the Citizens' Committee to
make promises to the prisoners.

I stated in my letter to you of April
26th, 1971, that the Citizens' Committee considered and does
consider that the proposal of the Prisoners' Committee that
the prisoners would have the assistance of Counsel in presenting
a list of grievancies to an appropriate Board or Tribunal was
accepted by your Department.

While I would have some doubts as to whether
the Ontario Legal Aid Plan contemplates providing Counsel solely
for the purpose of presenting grievancies by inmates I have
been informed following my letter to you of May 27th, 1971, that
the Defence Bar will provide Counsel for this purpose whether or
not Counsel are remunerated.

Yours sincerely,

G. Arthur Martin

July 5th, 1971.

P. O. Box 16,
Toronto Dominion Tower,
Toronto-Dominion Centre,
Toronto 1, Canada.

Copy passed to D54
for preparation reply
25 May 71

Letter reply dated 31 May 71
returned to D54 with
Minister's comment 000088
11 June 71

12-5-4
File: 185/12(1)

Ottawa, KIA OP8,
June 16, 1971.

Dear Mr. Martin:

Thank you for your letter of May 27, 1971,
concerning the disturbance at Kingston Penitentiary and
its aftermath.

As you mentioned in your letter, no list
of grievances had been prepared by the Prisoners' Committee.
As you will remember, neither I nor the penitentiary
authorities made any promises to the inmates and I would
suggest that it was not within the Terms of Reference of
the Citizens' Advisory Committee to do so.

The Terms of Reference of the Commission
of Inquiry state, inter alia, "to investigate and report
upon: (a) the immediate cause or causes of the said
disturbances;". This certainly requires the Commission
to hear the inmates' grievances and I am sure that the
inmates will take advantage of the opportunity.

If Counsel is necessary, I have been
assured that the Ontario Provincial authorities and the
Provincial Bar would provide the required legal aid.
Should there be any deficiencies in this regard, I shall
be happy to so advise you.

May I thank you again for writing to me
about this matter.

Yours sincerely,

Original Signed By
JEAN - PIERRE COYER

Jean-Pierre Goyer.

G. Arthur Martin, Esq., Q.C.,
P.O. Box 16,
Toronto-Dominion Tower,
Toronto-Dominion Centre,
Toronto 1, Ontario.

J.R. Stone/SR

Distribution:
Min's. Office (2)
D/S/G (1)
Mr. Hollies (1)
COMM. (1)
SEC (1)
Floater (1)
Shannon (1)

SOLICITEUR GÉNÉRAL
ADJOINT

DEPUTY
SOLICITOR GENERAL

14/11/71

M. LaBrosse

Veuillez discuter
de ceci avec M. Stone.

Lo.

DEPARTMENT OF THE SOLICITOR GENERAL
MINISTÈRE DU SOLICITEUR GÉNÉRAL

MEMORANDUM

Deputy Solicitor General

The attached letter is
returned with Minister's
comment (minuté under) for

attention please

JUN 14 9 13 AM '77

FILE
DOSSIER

646-5/29-1

D. M.

John P. Hamer

11 June 77

R.M.J. La Presse

JUN 1 1977

000091

CANADA

Ministère du Procureur
Général

Department of the
Solicitor-General

TO: SOLICITOR-GENERAL

AU: SOLLICITEUR-GÉNÉRAL

2/16/71

☐ POUR AUTORISATION
FOR APPROVAL

☒ POUR SIGNATURE

☐ POUR INFORMATION
FOR

☐ FOR DIRECTION
POUR DIRECTIVE

☐ SUR SA DEMANDE
AS REQUESTED

☐ TO NOTE AND RETURN
PRENDRE NOTE ET
RENOYER

Dictated by

Dicté par _____ DATE

Dactylographié par

Typed by _____ DATE

E. S. G.

Le dernier paragraphe ?

000092

8-6-71



CHAMBRE DES COMMUNES
CANADA

1) prend acte du contenu de
sa lettre à l'effet que ~~le comité des~~
~~jeu~~ "A list of grievances had
not ..."

2) Aucune promesse de mariage
ou des obligations matrimoniales
et aucune mandats d'arrestation
qui on comite des citoyens
pour faire des promesses.
(Rappeler le mandat).

3) les dépenses pour la com-
paraison devant le Comitee
et le Comitee a mandats
d'etudier les causes (citer



CHAMBRE DES COMMUNES
CANADA

les terres de réserve).

4) On m'a assuré que en les
ententes provinciales d'Orta-
rio au Canada pour le
part aux services d'ortob.
S'il y avait des déficiences,
nous arrivons.

Remarque: plus direct, moins
d'argumentation. Fin: merci
de sa lettre.

A. P. G.

G. Arthur Martin, D.C. LL.D.

The Honourable Jean-Pierre Goyer,
Solicitor General of Canada,
Sir Wilfred Laurier Building,
340 Laurier Avenue West,
Ottawa, Ontario.

Dear Mr. Minister:-

Further to my letter to you of April 26th, 1971, and your letter to me of May 6th, 1971, I am pleased that the investigation of the allegations with respect to the beating of inmates by guards, subsequent to the termination of the riot at Kingston Penitentiary falls within the terms of reference of the Commission of Inquiry under the Chairmanship of Mr. J. W. Swackhamer, Q. C. I have also been supplied with a copy of the terms of reference of the Commission of Inquiry. I am, of course, still concerned about the assurance that the Citizens' Committee gave the Prisoners' Committee that they would have the assistance of Counsel in presenting their grievances to the penitentiary authorities.

The memorandum which Mr. Haggart and I presented to you in Ottawa on Friday, April 16th, reads as follows:-

"The grievances prepared by the Prisoners' Committee by 12:00 noon, April 16th, 1971, will be presented to the penitentiary authorities with the assistance of Legal Counsel and under the observation of members of this Committee."

A list of grievances had not been prepared by the Prisoners' Committee by noon on April 16th and could not be presented to you. I would, however, regard it as extremely unfortunate if a rigid adherence to the terms of the Memorandum were to prevent the spirit of the assurance from being carried out. Any feeling on the part of the inmates that promises have not been fulfilled which were made to them for the purpose of

-2-

persuading them to release the hostages unharmed and to terminate the riot would have a disastrous effect on inmate attitudes. Moreover, such a feeling on the part of the prisoners would seriously damage the credibility of the Government as well as that of the Citizens' Committee.

I realize, of course, that there are a number of problems to be faced. The Memorandum speaks of the presentation of grievances to the "Penitentiary Authorities." The nature of the Body or Tribunal which is to hear the grievances is not clear and a question arises as to the appropriate person or persons to whom the grievances should be presented.

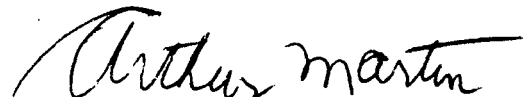
The Citizens' Committee was of the view that it was absolutely essential that the services of Counsel should be available to assist in sorting out and organizing the material to be presented, so that the presentation could be made in an orderly way and within a reasonable period of time. The appointment and the payment of Counsel also raises questions. A question may arise as to whether this kind of Legal advice and assistance falls within the scope of the Ontario Legal Aid Plan. It seems to me, however, that all of these questions can be resolved.

I would suggest that the Commission of Inquiry is a suitable Body to whom the prisoners might present their grievances. If the Commission's Terms of Reference are not sufficiently wide to permit this the Terms of Reference could be enlarged.

I would also suggest that the presentation of grievances might be considered as Phase II of the Inquiry so as not to delay the work of the Commission of Inquiry in its investigation and report upon the matters now referred to it.

I would be pleased to come to Ottawa to discuss these matters with you at a time which is convenient to you.

Yours sincerely,



May 27th, 1971.

P. O. Box 16,
Toronto Dominion Tower,
Toronto-Dominion Centre,
Toronto 1, Canada.

368-6241.

000096

G. Arthur Martin, D.C. LL. D.

The Honourable Jean-Pierre Goyer,
Solicitor General of Canada,
Sir Wilfred Laurier Building,
340 Laurier Avenue West,
Ottawa, Ontario.

Dear Mr. Minister:-

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-2-

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I would be pleased to come to Ottawa to discuss these matters with you at a time which is convenient to you.

Yours sincerely,



May 27th, 1971.

P. O. Box 16,
Toronto Dominion Tower,
Toronto-Dominion Centre,
Toronto 1, Canada.

368-6241.

000098

G. Arthur Martin, D.C., LL.D.

RECEIVED
OFFICE OF THE
SOLICITOR GENERAL
MAY 12 9 21 AM '71

The Honourable Jean-Pierre Goyer,
Solicitor General of Canada,
Sir Wilfred Laurier Building,
340 Laurier Avenue West,
Ottawa, Canada.

Dear Mr. Minister:-

I wish to acknowledge receipt
of your letter of May 6th, 1971, for which I thank
you.

Yours sincerely,

Arthur Martin

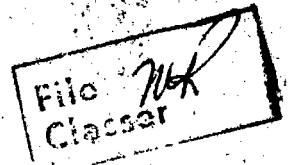
May 10th, 1971.

P. O. Box 16,
Toronto Dominion Tower,
Toronto-Dominion Centre,
Toronto 1, Canada.

(File No. 646-5/29-1)

Ottawa, Ontario,
K1A 0P6

May 6, 1971



Dear Mr. Martin:

Thank you for your letter of April 26th which was acknowledged, in my absence, by the Deputy Solicitor General.

To take the last paragraph of your letter first, speaking on behalf of yourself and the persons who constituted the "Citizens' Committee" during the course of the disturbances at Kingston between April 14 and 18, you ask that the alleged incidents of beating of prisoners by guards be fully investigated and appropriate charges in the Criminal Courts be laid if warranted by the evidence.

As you are no doubt aware a preliminary investigation was immediately conducted by Penitentiary authorities when this allegation was made. In addition, the Commission of Inquiry, headed by Mr. J. W. Swackhamer, Q.C. has terms of reference which cover any such allegation or occurrence. Thirdly, the Ontario Provincial Police has an investigation into these allegations under way.

I appreciate very much your concern and would be pleased to meet with you to discuss the matter. I am leaving today for the West and will be away for six days. In the meantime, if your Secretary could get in touch with Miss A.-M. Hanson in my office, they can arrange for us to meet in Ottawa some time after the 13th of May, at your convenience.

Yours sincerely,

Jean-Pierre Goyer

BCHOFLEY/EACOTE/ROP

Mr. S. Arthur Martin, Q.C.,
Barrister, etc.,
P.O. Box 16,
Toronto Dominion Tower,
Toronto-Dominion Centre,
Toronto 1, Ontario

G. Arthur Martin, Q.C. LL.D.

The Honourable Jean-Pierre Goyer,
Solicitor General of Canada,
Sir Wilfred Laurier Building,
340 Laurier Avenue West,
Ottawa, Ontario.

RECEIVED
SOLICITOR GENERAL
JAN 13 1971

646-5/29-1

DM

Dear Mr. Minister:-

I am gravely concerned by the information which I have received that two members of the Prisoners' Committee have been seriously injured by prison guards in the course of being transferred from Kingston Penitentiary to Millhaven.

The Citizens' Committee appointed by your Department, as a consequence of the riot at Kingston Penitentiary, made certain proposals with respect to the surrender by prisoners in Kingston Penitentiary and the subsequent transfer of prisoners to other Federal Penitentiaries. A proposal was also made with respect to the presentation of grievances by the Prisoners' Committee.

The substance of those proposals was as follows:

1. That prisoners would emerge from the cell blocks under the observation of the Citizens' Committee and prisoners being transferred to other Federal Penitentiaries would be transferred under the observation of members of the Citizens' Committee. It was proposed that a guard held as hostage by the prisoners would be released concurrently with the surrender of each group of sixty prisoners until all the hostages were released.
2. That the Prisoners' Committee would have the assistance of Counsel in presenting a list of grievances, to be prepared by the Prisoners' Committee, to an appropriate Board or Tribunal under the observation of members of the Citizens' Committee.

-2-

The Citizens' Committee considered, and does consider, that these proposals were accepted by your Department and, in fact, prisoners emerged from the cell block area and hostages were released in substantial compliance with this formula on Sunday, April 18th. The Citizens' Committee acted as observers as the prisoners left the cell block area and of the transfer of prisoners which took place during the day of Sunday, April 18th.

At the time the proposal was made it was contemplated that approximately three hundred prisoners would leave the cell block area at Kingston as their names were called by the prison authorities. These prisoners would be immediately transferred to other Federal Penitentiaries. It was contemplated that approximately two hundred prisoners would remain at Kingston. Subsequent events, however, made it necessary to temporarily evacuate the entire inmate population from the cell block area with consequent delay in the transfer of some prisoners to other Penitentiaries.

The Citizens' Committee assumed that, with the peaceful re-occupation of Kingston Penitentiary achieved, the assurance that the prisoners would not be subject to illegal violence from guards during subsequent transfers to other Penitentiaries, which was inherent in the right of the Citizens' Committee to observe and inspect, would be carried out by the prison officers.

I am informed, however, that on Wednesday, April 21st, a number of prisoners who had remained at Kingston Penitentiary were transferred to Millhaven and that it was during the course of this transfer that some inmates were beaten and seriously injured.

On behalf of the Citizens' Committee I requested your Department on Friday, April 23rd, to permit the Citizens' Committee to visit Millhaven to investigate the information which the Committee had received with respect to the beating of inmates. The request of the Committee was refused.

On behalf of the Citizens' Committee and myself I wish to take issue with the policy of your Department in refusing the request of the Citizens' Committee. Such refusal was, in our view, contrary to the spirit of the right of observation and inspection by the Citizens' Committee agreed to by your Department.

Such a narrow interpretation of the role of the Citizens' Committee is, in my view, unfortunate, and incompatible with the assurances that the Committee gave, with the approval of your Department.

-3-

A feeling among the inmates that either the Citizens' Committee or the Government has failed to carry out assurances with respect to safeguarding prisoners from illegal violence at the hands of guards will inevitably have a serious and unfortunate effect on inmate attitudes and will create feelings of injustice and bitterness.

The Committee urges that alleged incidents of the beating of prisoners by guards be fully investigated and appropriate charges in the Criminal Courts be laid if warranted by the evidence.

Yours sincerely,

A handwritten signature in dark ink, reading "G. Arthur Martin". The signature is written in a cursive style with a large, sweeping initial "G".

April 26th, 1971.

P. O. Box 16,
Toronto Dominion Tower,
Toronto-Dominion Centre,
Toronto 1, Canada.

c.c. for the information of: Solicitor General

RECEIVED
OFFICE OF THE
SOLICITOR GENERAL

MAY 3 2 55 PM '71

Ottawa, Ontario,
K1A 0P8

April 29, 1971

Dear Mr. Martin:

The Minister has had to absent himself from the City for a few days. However, before leaving he asked me to thank you for your letter of April 26th, which he received yesterday, and to which he proposes to reply as soon as possible.

Yours sincerely,



E. A. Côté,
Deputy Solicitor General

Mr. G. Arthur Martin, Q.C.,
Barrister, etc.,
P. O. Box 16,
Toronto Dominion Tower,
Toronto-Dominion Centre,
Toronto 1, Ontario

Copy has been passed to Mr. Fôté
for preparation of reply.

by
28 Apr 71

Q C

G. Arthur Martin, D.C., LL.D.

RECEIVED
OFFICE OF THE
SOLICITOR GENERAL
APR 20 12 42 PM '71

The Honourable Jean-Pierre Goyer,
Solicitor General of Canada,
Sir Wilfred Laurier Building,
340 Laurier Avenue West,
Ottawa, Ontario.

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2. That the Prisoners' Committee would have the assistance of Counsel in presenting a list of grievances, to be prepared by the Prisoners' Committee, to an appropriate Board or Tribunal under the observation of members of the Citizens' Committee.

-2-

no, because the inmates were offered it.

The Citizens' Committee considered, and does consider, that these proposals were accepted by your Department and, in fact, prisoners emerged from the cell block area and hostages were released in substantial compliance with this formula on Sunday, April 18th. The Citizens' Committee acted as observers as the prisoners left the cell block area and of the transfer of prisoners which took place during the day of Sunday, April 18th.

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-3-

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The Committee urges that alleged incidents of the beating of prisoners by guards be fully investigated and appropriate charges in the Criminal Courts be laid if warranted by the evidence.

Yours sincerely,

G. Arthur Martin

April 26th, 1971.

P. O. Box 16,
Toronto Dominion Tower,
Toronto-Dominion Centre,
Toronto 1, Canada..

*1st of the
Board of
Inquiry*

G. Arthur Martin, D.C., LL. D.

RECEIVED
OFFICE OF THE
SOLICITOR GENERAL
APR 30 1 28 PM '71

The Honourable Jean-Pierre Goyer,
Solicitor General of Canada,
Sir Wilfred Laurier Building,
340 Laurier Avenue West,
Ottawa, Ontario.

Dear Mr. Minister:-

I wish to thank you for your letter
of April 22nd, 1971.

The very kind remarks contained in
your letter are deeply appreciated by me, indeed,
much more than I can say. I am happy if I was able to
be of some assistance.

With best wishes, I am,

Yours very sincerely,

Arthur Martin

April 29th, 1971.

P. O. Box 16,
Toronto Dominion Tower,
Toronto-Dominion Centre,
Toronto 1, Canada.

Copy passed to the file

E
25 Mar 71



FACULTY OF LAW,
UNIVERSITY OF TORONTO

RECEIVED
OFFICE OF THE
SOLICITOR GENERAL
MAY 25 9 24 AM '71

Toronto 181, Canada

May 19, 1971

Solicitor General of Canada,
Ottawa, Ontario.
K1A OP8.

Dear Mr. Minister:

Thank you for your courteous letter of April 23rd, 1971. I hope that it will not seem ungracious if I take this opportunity to point out that I was not invited to join a Committee by any government agency and do not regard it as my mandate to report to you.

May I say, however, that I share your gratification that such a potentially destructive disturbance was eventually settled with so small, and although still regrettable loss of life.

Yours most respectfully,

J. D. Morton.

JDM:pah

CONFIDENTIAL

c.c. for the information of:
Mr. Paul Vaguy,
Commissioner of Penitentiaries

Ottawa, Ontario
K1A 0P8

April 23, 1971

Dear Dr. Norton:

On behalf of both the Government of Canada and of myself, as Solicitor General of Canada, I should like to thank you most sincerely for your valuable assistance in the role which you played in helping to bring about a solution at Kingston Penitentiary.

You were kind enough to agree to join a Committee of distinguished citizens, formed under the chairmanship of Mr. Arthur Martin, Q.C., whose mandate it was to meet with the Inmates' Committee, to hear their views and to report to me. Your prompt acceptance to join the Committee was greatly appreciated.

I would say how much appreciated were your contributions in this particularly difficult and delicate assignment.

Yours sincerely,

Original Signé Par
JEAN - PIERRE GOYER

Jean-Pierre Goyer

RMJLABROSSE/EACOTE/LCP/ROP

Dr. Desmond Norton,
Professor,
Faculty of Law,
University of Toronto,
Toronto 5, Ontario

62 (440)

OTTAWA, K1A 0P6

July 13, 1971.

Dear Mr. Stafford:

Your letter of June 16, 1971, enclosing photostatic copy of a communication from an inmate who was involved in the Kingston riot has been considered very carefully in my Department.

The man who wrote to you is, of course, only one of the many who have raised the issue of protection. There is every possibility, of course, that their safety may be endangered. This could be true even though they may not have given statements to the police or if they have given statements, they subsequently refused to testify in an open court.

As you know, mere suspicion that an inmate has given information to the police could be enough to endanger his safety, and there is no doubt that the danger is very real. The letter written to you is only one of the symptoms of fear amongst inmates who may be called to testify.

At the present time, there is no absolute guarantee of safety to the inmates themselves and even to their relatives on the outside. We have no facilities in Ontario to completely isolate inmates who have already given information to the police agencies, or who may testify in court later. The possibility of threat exists whether they are in maximum, medium or minimum security institutions. Perhaps Millhaven Institution affords greater safety because of the control and direct observation available there. I can only state that our institutional staffs are well informed on the situation and we will do everything we can to protect those who co-operate with the law enforcement agencies.

Mr. Harold E. Stafford,
Member of Parliament,
House of Commons,
Ottawa, Ontario.

2...

-2-

Suggestions will be made later in regard to what should be done to protect real or alleged witnesses and of course, in respect to those who are charged with the murders. In any case, very careful screening will be made to consider and possibly decide on the best moves for those inmates to other areas to ease the danger to their lives following the conclusion of the trials.

At the moment, therefore, the situation is a static one. There will be no laxity in vigilance and while it may appear that we are taking a negative view, this is very much the opposite of our thinking. We shall have to await the outcome of deliberations and act as situations dictate.

Thank you for writing.

Yours sincerely,

Original Signed by
JEAN - PIERRE GOYER

Jean-Pierre Goyer.

BMK/INE/lv

DISTRIBUTION:

Minister's office:	original and 2 copies
D/Minister:	1 copy
Commissioner:	1 copy
File:	1 copy
Floater:	1 copy
SEC.:	1 copy
Shannon:	1 copy

MEMORANDUM

GOVERNMENT OF CANADA



NOTE DE SERVICE

GOUVERNEMENT DU CANADA

FROM
DE

Commissioner of Penitentiaries

FOR



Mr. J.R. Cameron
Acting Executive Assistant

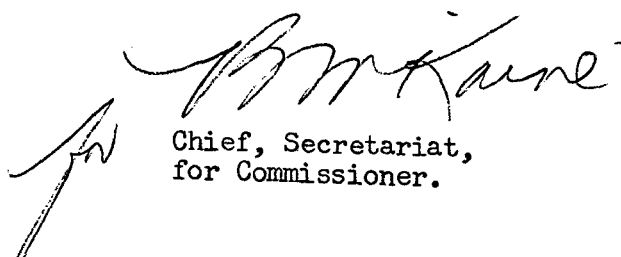
SUBJECT
SUJET

Protection of Inmates

SECURITY - CLASSIFICATION - DE SÉCURITÉ	
OUR FILE - NÉRÉFÉRENCE 62 (440)	
YOUR FILE - VÉRÉFÉRENCE	
DATE July 13, 1971.	RECEIVED OFFICE OF THE SOLICITOR GENERAL JUL 14 3 45 PM '71

1. We have prepared a letter for the Ministers' signature in reply to Mr. Harold E. Stafford's letter dated June 16.
2. The matter was referred to the Ontario Regional Director of this Service and his comments in respect to the situation are embodied in the letter to Mr. Stafford.

Encl.


Chief, Secretariat,
for Commissioner.

BF 25 June 71
ly.

MEMORANDUM
GOVERNMENT OF CANADA



NOTE DE SERVICE
GOUVERNEMENT DU CANADA

FROM
DE

A/EXECUTIVE ASSISTANT

TO
À

COMMISSIONER OF PENITENTIARIES

SUBJECT
SUJET

Letter re Protection of Inmates

OUR FILE - N/RÉFÉRENCE

YOUR FILE - V/RÉFÉRENCE

13-1

DATE

June 18, 1971

REFER REPLY TO
ENVOYER LA RÉPONSE À

TEL. NO.
TÉL.

The attached copies of a letter dated June 16, 1971 from Mr. Harold E. Stafford, M.P. and enclosure from an inmate of Collins Bay Penitentiary are forwarded for the preparation of a reply for signature by the Minister.

J.R. Cameron



HOUSE OF COMMONS
CANADA

RECEIVED
OFFICE OF THE
SOLICITOR GENERAL
RECEIVED
OTTAWA,
JUNE 17 1971
OFFICE OF THE
SOLICITOR GENERAL

JUN 17 9 17 AM '71

Hon. Jean-Pierre Goyer, P.C., M.P.,
Solicitor General of Canada,
House of Commons,
Ottawa 4, Ontario.

Dear Jean-Pierre:

I am enclosing herewith photostatic copy of a letter I have today received from an inmate at Collins Bay who was involved in the Kingston riot.

You will note in the contents of the enclosed that the inmate expresses his deep concern over the fact that he needs protection in view of the fact that he has given an statement and will possibly be called before the Special Inquiry now under way in Kingston.

I am sure that steps have been taken to afford special protection to inmates such as the one who wrote to me, but I would appreciate hearing from you in this regard.

Thank you.

Yours sincerely,

Harold E. Stafford, Q.C., M.P.,
Elgin.

c.c. P.A. Faguy,
Commissioner of Penitentiary Service.

P.O. Box 150
KINGSTON, ONTARIO.

June 14/71

Dear Sir;

I'm writing to you for help in the matter of my own fear and also that you shown concern in the protection of the undesirables.

I was involved in the Kingston riot and what happened there will always be on my mind, it brought a lot of changes to my being. I'm sick and tired of life, of these so called solid convicts, of doing time, and etc.

These poor humans didn't deserve to be brutally murdered and beaten. It was only a miracle that saved the others from being put to a senseless savage death. But, still those who survived went through living hell. What I saw made me sick and I tremble, worry with fear knowing that this happens, to sex offenders, informers, etc.

Sir, my living in fear is very real and slowly tearing me apart, and my reason is that within a month or so I'll probably be called to testify. When the Kingston police questioned me I gave a signed statement which makes me in jail slang, a (stool pigeon). As I mentioned the riot caused a lot of change in me, making me feel sick and disgusted.

Every night sir, I think of cutting my wrists with my razor-blade and ending my torment. I'm not looking for sympathy or anything, but how real my fear is. It's easy to say don't worry, but looked what happened and they were under protection.

When I'm called to appear to testify before the dependants, I'll be asking for protection. There may be several other inmates willing to testify and needing protection.

Could you please bring this matter up with Mr. Dyer and the Com. of Penitentiaries, for it would ease my mind a great deal. I can't bring myself to sign this letter not trusting it to get to you, but if by chance it does I won't be able to thank you enough.

Thank you

Alma
Collins

000118

MacNeill has seen
EJ
PM

CONFIDENTIAL

MEMORANDUM
GOVERNMENT OF CANADA



NOTE DE SERVICE
GOUVERNEMENT DU CANADA

FROM
DE

ACTING EXECUTIVE ASSISTANT

TO
A

SOLICITOR GENERAL

SUBJECT
SUJET

Report of Proposed Protest by
Federal Correctional Officers

OUR FILE - N/RÉFÉRENCE	
YOUR FILE - V/RÉFÉRENCE <i>12-5-4.</i>	
DATE June 2, 1971	
REFER REPLY TO ENVOYER LA RÉPONSE À	TEL. NO. TÉL.

Mr. MacNeill of the Kingston Whig-Standard telephone at 9:40 a.m. today to inquire if I had any information on a planned protest by Correctional Officers of Federal Institutions.

He went on to say there is a rumour in the Kingston Area (source unknown) that a national protest is planned for Friday, June 4, 1971 by the Correctional Officers of Federal Institutions in reference to the charges laid against the eleven correctional officers for alleged beatings of inmates at Millhaven Institution. He could not specify the form of the rumoured protest.

I informed Mr. MacNeill I was unaware of such a rumour and could not comment. I have since been informed that the Penitentiary Service Headquarters knows nothing of the rumour.

J.R.CAMERON/sd

J.R. Cameron

c.c. Deputy Solicitor General
Commissioner of Penitentiaries

000119

Beatings of 50 Kingston convicts charged

TORONTO (CP) — Law professor Desmond Morton said Thursday that at least 50 prisoners involved in a 92-hour insurrection last month at Kingston penitentiary appear to have since been beaten up by avenging penitentiary guards.

Prof. Morton, member of a five-man citizens' committee that negotiated with the 500 rebellious Kingston convicts during the April 14-18 disturbances, made the allegations

in a speech to lawyers at Osgoode Hall. He said his information came in letters from the prisoners.

The committee was instrumental in obtaining the safe release of six guards taken hostage by the prisoners. The convicts were later transferred to the new maximum security institution at Millhaven, west of Kingston.

The University of Toronto law professor told the lawyers he had obtained material

which "narrates continued beatings from Monday, April 19," of prisoners by guards at Millhaven. He said he was told that 16 prisoners were placed in solitary confinement at Millhaven.

Prof. Morton has been sharply critical of Solicitor-General Jean-Pierre Goyer's role in the Kingston rebellion. Wednesday, he said the prison insurrection would have ended two days earlier, had it not been for Mr. Goyer's refusal to give the convicts

guarantees against beatings and reprisals by guards.

One prisoner was beaten to death and 11 others seriously injured on the last day of the rebellion when the convicts turned on the "undesirables" in their ranks—homosexuals, informers and sex offenders.

Prof. Morton suggested in his Osgoode Hall speech that the solicitor-general used the citizens' committee to lure the convicts out of the main cellblock and into the buses that transferred them to Mill-

haven the morning of April 18.

"Something is badly wrong if our work at Kingston—the proudest achievement of my life—has all been destroyed by making us flunkies of the solicitor-general, if we were conned into getting them into the buses and into Millhaven.

"I cannot understand how the beatings can happen, if this is true. I cannot understand why Mr. Goyer has stopped everyone from going into Millhaven, the press and others."

Meanwhile, in Kingston, Millhaven Warden Donald Clark described the situation in the new penitentiary Thursday as tense. He said he has been unable to determine the reason for a hunger strike by 30 prisoners that took place Tuesday.

In Ottawa, Justice Minister John Turner told the Commons he was looking into the Millhaven hunger strike. And Mr. Goyer has promised an investigation into the beating allegations.

OTTAWA, July 6, 1971.

Mr. Rae Corelli,
Editorial Department,
Toronto Daily Star,
80 King Street West,
Toronto, Ontario.

Dear Mr. Corelli:

I was very pleased to read your letter referring to members of my staff, Messrs. Sydney Roberts, Edgar Babcock and Douglas Chinnery.

Indeed, I myself am greatly satisfied with the behaviour of our personnel, especially when they are faced with such mounting pressures.

I thank you for the interest that you have shown in this particular matter.

Yours sincerely,

Jean-Pierre Goyer

E. Merri

Toronto Daily Star

Editorial Department

27 April 1971

The Honorable Jean-Pierre Goyer, Q.C., M.P.,
Solicitor-General for Canada,
House of Commons,
O T T A W A, Ontario.

Dear Mr. Goyer:

In the aftermath of the disturbance at Kingston, it has occurred to me that perhaps I ought to write to you to express my admiration for their behavior under fire of three of your people who were on the scene for most of that hectic period. I refer to Mr. Sydney Roberts of your staff and Messrs. Edgar Babcock and Douglas Chinnery of the Kingston Penitentiary senior staff. I might not have taken it upon myself to drop a line had it not been for the fact that I heard similar sentiments expressed by other members of the press contingent who were also there.

I was particularly impressed by Mr. Babcock's unflagging attention to the demands of his position while at the same time acting as ad hoc host to hordes of reporters with monumental forbearance, helpfulness and geniality. The strain on him, aggravated by sleeplessness, must have been enormous yet at no time did I hear him exhibit even the slightest irritation.

I'm sure it would be presumptuous of me to express the opinion that you are fortunate to have such people on your team; you are doubtless well aware of their value.

Yours Truly,

Rae Corelli
Rae Corelli
Legal Writer

cc: Mr. Paul Faguy
Mr. John N. Turner, Q.C., P.C., M.P.

Edgar Babcock - Assistant Warden (Organization and Administration)
Douglas Chinnery - Assistant Deputy Warden (Inmate Training)

80 King Street West, Toronto 1, Canada

000122

1231 (1)

OTTAWA, KLA OP8

June 28, 1971

My Dear Colleague:

I refer to the letter from your constituent, Mrs. Norma M. Agnew, dated April 23, 1971, a copy of which was forwarded to my office by your Special Assistant, Mr. Faubert requesting assistance in the preparation of a reply.

It is unfortunate that when a situation issues in violence as was the case during the Kingston Penitentiary disturbance, it often happens that acts of mistreatment and cruelty are perpetrated, resulting in personal injury and even loss of life. Acts of violence such as the beating of inmates are inexcusable and will not be condoned. Mrs. Agnew is probably now aware of the fact that the police, at the direction of the Attorney General of Ontario, have carried out extensive investigations into the Kingston Penitentiary disturbance and related subsequent events. Charges have been laid against correctional officers as well as against inmates, and it is for the courts to determine responsibility for criminal acts and to mete out appropriate sentences. Because investigations and court cases are still going on, I cannot comment further on this matter.

Mrs. Agnew's reference to inmates being kept in cells for as long as twenty hours per day is presumed to mean those who from time to time are placed in dissociation, since it does not apply to those in the general prison population. It should be made clear that these are by no means all punishment cases. There are those who, for various reasons, cannot function in the general population. Some have demonstrated by hostile acts that they are dangerous to others and many are segregated at their own request for their own protection. The number of inmates in dissociation at any time is exceedingly small, they are there for valid reasons and the situation exists only in maximum and medium security institutions.

The Honourable Robert Stanbury,
Minister Without Portfolio,
House of Commons,
Ottawa, Ontario,
KLA OA6.

.../2

- 2 -

An exception of course, was the unusual situation immediately following the Kingston Penitentiary disturbance when it was necessary to move inmates into Millhaven Institution which at that time was not quite completed and recreation and training facilities were not then available. For some days there was no choice but to keep inmates in their cells except for daily exercise periods and while taking their meals. This problem has since been resolved and inmates are now able to participate in a full range of activities from vocational and academic training to recreation and leisure-time privileges.

I hope that the foregoing will be useful in preparing your reply to Mrs. Agnew.

Yours sincerely,

by
JEAN - PIERRE COYER

Jean-Pierre Coyer

WJMEDER/cm

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	File
Secretariat:	2 copies
	Shannon



MEMORANDUM
GOVERNMENT OF CANADA



NOTE DE SERVICE
GOUVERNEMENT DU CANADA

FROM
DE

Commissioner of Penitentiaries

TO
A FOR

Mr. J.R. Cameron
A/Executive Assistant

SUBJECT
SUJET

Treatment of Inmates - Millhaven Institution

1. Reference is made to your memorandum of June 16, 1971.
2. Attached is a letter to the Honourable Robert Stanbury for the Minister's signature.

Att.

Chief, Secretariat,
for Commissioner

OUR FILE - N/RÉFÉRENCE 1231 (1)	
YOUR FILE - V/RÉFÉRENCE	
DATE June 25, 1971	
REFER REPLY TO ENVOYER LA RÉPONSE À	TEL. NO. TÉL.

RECEIVED
OFFICE OF THE
SOLICITOR GENERAL
JUN 27 1 50 PM '71

BF 24 June 71
ey

MEMORANDUM
GOVERNMENT OF CANADA



NOTE DE SERVICE
GOUVERNEMENT DU CANADA

FROM
DE

A/EXECUTIVE ASSISTANT

TO
À

MR. PAUL FAGUY
COMMISSIONER OF PENITENTIARIES

SUBJECT
SUJET

Treatment of Inmates - Millhaven Institution

OUR FILE - N/RÉFÉRENCE	
YOUR FILE - V/RÉFÉRENCE 13-11 - 12-5-4	
DATE June 16, 1971	
REFER REPLY TO ENVOYER LA RÉPONSE À	TEL. NO. TÉL.

The attached copies of a letter dated June 11, 1971 and enclosure from the Office of the Honourable Robert Stanbury, Minister Without Portfolio, are forwarded for the preparation of a reply to Mr. Stanbury for signature by the Solicitor General.

J.R. CAmeron



JUN 14 9 03 AM '71

OFFICE OF THE MINISTER WITHOUT PORTFOLIO,
CABINET DU MINISTRE D'ÉTAT

OTTAWA, K1A 0M5,
June 11, 1971.

Mrs. Marie-Josée Beaulac,
Special Assistant to the
Hon. Jean Pierre Goyer,
Solicitor General's Office,
Sir Wilfrid Laurier Bldg.,
340 Laurier Ave., W.,
Ottawa, Ontario.

Dear Mrs. Beaulac:

Attached please find a copy of a letter from my
constituent, a Mrs. Norma M. Agnew, 6 Lynn Gate
Crescent, Agincourt, Ontario, concerning her
protest to the cruel treatment of the security
guards to the inmates of Kingston Penitentiary.

Any assistance you could give us in answering this
correspondence would be appreciated.

Yours sincerely,

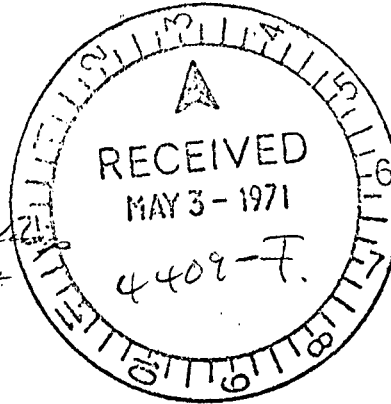
A handwritten signature in dark ink, appearing to read "Frank J. Faubert".

Frank J. Faubert,
Special Assistant to the
Hon. Robert Stanbury.

MAY - 3 1971

6 Lyon Gate Circle,
Agincourt, Ont.,
April 28, 1971.

Mr. Robert Stanbury,
Mr. P. Scarborough,
Parliament Buildings
Ottawa, Ont.



Dear Mr. Stanbury:

Having read Ron Hoggart's
column in Tuesday's evening Telegram, I feel I must
register my protest to the cruel treatment of the
security guards to the inmates of Kingston
Penitentiary on their arrival at Millhaven. It
really makes me wonder what the world is coming
to, that this cruelty should be happening in our
Province of Ontario.

For me to try and imagine the difficulties
that must daily confront Millhaven personnel,
would be beyond the realm of imagination.
However, cruelty to defenceless inmates, absolutely
not! We wouldn't treat our animals such as this.
To mark and live in fear, regardless of the severity
of their crimes, it would seem to me that it
would be almost impossible to rehabilitate the
prisoners to any degree.

On the other hand, mustn't we I think these

men should have all the luxuries and comforts
as a guest at the Inn on the Park. But as human
beings, there must be some element of dignity.
In return, if they don't respond and are causing
difficulties, eliminate some sought after privileges.

From reports, many men are kept as long as
20 hours per day in their cells. With so little activity
it is not surprising that this dreadful situation
arose in Kingston - it would turn most of us
into raving maniacs. Perhaps with more activity
to produce, the east of their keep could be
deprived. Most of us would rather see some of
our aged who are in need of extras, receive the
benefit of any difference.

With two teen agers in our household it was
not hard for them to read this account of beatings.
This thing couldn't happen, so they assumed.

My husband surely this week in regards to
retaining the monarchy. I too must protest the
statements made that our monarchy should be
dissolved. It is most ill advised and particularly
ill-timed so close to the visit of Queen Elizabeth
to our country.

Thank you.

Yours truly

Norma M. Agnew

PH

MEMORANDUM
GOVERNMENT OF CANADA



NOTE DE SERVICE
GOUVERNEMENT DU CANADA

FROM
DE

A/EXECUTIVE ASSISTANT

TO
À

MR. PAUL FAGUY
COMMISSIONER OF PENITENTIARIES

SUBJECT
SUJET

Protection of Involved Inmates - Kingston Penitentiary

OUR FILE - N/RÉFÉRENCE	
YOUR FILE - V/RÉFÉRENCE <i>12-5-4.</i>	
DATE June 22, 1971	
REFER REPLY TO ENVOYER LA RÉPONSE À	TEL. NO. TÉL.

The attached copy of a letter dated June 17, 1971 from an "Involved Inmate" of Kingston Penitentiary is referred to your attention and such action as may be indicated.

J.R. Cameron

000130

JUN 21 9 00 AM '71

Dear Sir,

What happened at Kingston to those poor humans called (undesireables) during the riot was pure horror. Not only was it the savage beatings they recieved at the end, but their own terror and fear they went through for four days. The very first night of the riot they had the water-hoses turned on them, and even a few were roughed up. Can you imagine Sir, what hell and horror they went through. And yet these men were supposed to be under protection for their lives.

The reason I'm writing you is that I'll be soon in fear of my own life. You see Sir, the reason is that I gave a written statement to the City Police. I expect to be called to testify in August at the premlinary hearing of the inmates charged over the Kingston riot. Once I testify Sir, my life isn't worth a damn for I'll be known in jail slang as a (informer).

My fear is so deep and real, that almost every night I think of cutting my wrists or hanging myself. I just pray and hope with other inmates as well as myself who do testify will be given protection.

It wasn't easy for me to give the police a statement, but then I saw poor humans savagely beaten and murdered, by so called solid cons. It made me sick to my stomach and I shall never forget, and it really made me see myself for what I really was and I didn't like it.

May I say this for myself, before this happened I was considered a solid convict, but now I'm sick of jails, convicts, and life. Still I want to live, against one or two I have a chance, but not against the prison population.

Sir, its not that I don't trust you, but I can't bring myself to sign, not knowing if this letter will get to you.

Please Sir, look into the matter of protection for those inmates that will need it. In a month or so I myself will be asking for protective custody.

I thank you,
Involed 000131 te

Ottawa, Ontario

June 15, 1971

Dear Mr. Hutcheon:

You asked me, in your letter of June 1, to reply to two questions, one dealing with the trial and the other with the representation by legal counsel of the 18 men charged with crimes committed during the Kingston Penitentiary disturbance.

Each of the 18 men will be represented by legal counsel during both the preliminary hearing and the trial. William Knight, whom you mentioned, is represented by Mr. Barry Swadron, Toronto. I do not know the identity of Brian Dodge's lawyer but I am positive that Provincial Judge P.E.D. Baker of Frontenac County will not allow the preliminary hearing to proceed until all the persons charged are defended by legal counsel.

The preliminary hearing of the charges has not yet begun so the possible date of the trials or trial cannot be known. The men charged have been remanded to June 15 but it is impossible to say whether the preliminary hearing will begin on that date. The charges are being heard in the Frontenac County Court at Napanee, Ontario.

..2

Mr. R.J. Hutcheon,
Box 237,
Niagara Falls, Ontario.

-2-

I should like to add that, it was neither myself nor my officials who laid criminal charges against the group of Kingston inmates and the group of Millhaven correctional officers. These charges were laid under the Criminal Code by the Attorney-General's Department of Ontario after investigations by the Kingston city police and the Ontario Provincial Police.

I should also wish to note that the two inmates who died as a result of the Kingston Penitentiary disturbance died of injuries received at the hands of other inmates at the time when these other inmates had grouped together and put all inmates beyond the protection of the penitentiary staff.

Yours very truly,

Original signed by
JEAN - PIERRE GOYER

Jean-Pierre Goyer

MEMORANDUM
GOVERNMENT OF CANADA



NOTE DE SERVICE
GOUVERNEMENT DU CANADA

10 June 71
E

FROM
DE

A/EXECUTIVE ASSISTANT

TO
A

DEPUTY SOLICITOR GENERAL

SUBJECT
SUJET

Letter re Kingston Disturbance -
R.J. Hutcheon

OUR FILE - N/RÉFÉRENCE

YOUR FILE - V/RÉFÉRENCE

12-5-4

DATE

REFER REPLY
ENVOYER LA RÉPONSE A

June 7, 1971

TEL. NO.
TÉL.

The attached letter dated June 1, 1971 from Mr. R.J. Hutcheon is forwarded for the preparation of a reply please for the Minister's signature.

The Minister has not as yet seen this letter.

JOHN R. CAMERON

J.R. Cameron

R. J. Hutchison

RECEIVED
OFFICE OF THE
SOLICITOR GENERAL

JUN 4 9 14 AM '71
(416) 354-4482

5
3765 Montrose Road

Box 237

Niagara Falls, Ontario, Canada

June 1, 1971.

Dear Sir,

I note by this Mornings Globe & Mail, that you have seen fit to charge a number of individuals for infractions of the rules during the Kingston riot. I wonder first of all why you did not take an interest in the problems of our penal institutions so that a situation such as this could have been avoided? I was aware this was to happen months ago so I am sure you were aware it was in the wind.

After seeing the conditions and the quality of your so called correctional officers in penitentiaries I see no wonder at such a thing happening and I was happy to see it happen to bring the public to date of conditions. It will be a big whitewash in the governments favour by the time it is finished though as the government is noted for covering up its errors by outright lies. I am only sorry to hear of the two persons who died for this cause not of their own chosing naturally but again due to government stupidity in not protecting them as required by law.

As long as correctional institutions are under the direction of persons who have had no training in that field but due to being affiliated with the correct political party at the time are given that portfolio as a political plum, there will be problems. Also as long as the government continues to hire guards who have an

R. J. Hutchison

5
2765 Montrose Road

Box 237

☎ (416) 354-4482

Niagara Falls, Ontario, Canada

average of grade ten or less education we will have a problem in correctional institutions which in itself is a misnaming.

Canadian prisons are a disgrace and it takes things like this uprising to make the public aware of the fact. The government is known for its covering up of things such as this but I hope the public will now push for a change and demand that heads roll for administrators who let the situation get as bad as it is. You yourself are the person who should take some definite action to at least try to improve the present penal system but in all probability will sit back afraid of losing your job if you propose changing our medieval correctional or penal system.

I would like to know if BRIAN DODGE and WILLIAM KNIGHT are allowed private legal council at their trial as I wish to get proper representation for them so they are not given a whitewash job by the government. I also would like to know the date and place of their trial.

I am sure you are aware this is not the last of prison uprisings in Canada. Unless the situation is drastically improved there will be more in the near future.

Hoping you will at least take the time to reply to questions put to you, I remain,

Yours truly,

R. J. Hutchison
R. J. Hutchison.

646-5/29-1
Lam

①

MEMORANDUM
GOVERNMENT OF CANADA



NOTE DE SERVICE
GOUVERNEMENT DU CANADA

DM SM
SOL GEN

FROM
DE

A/EXECUTIVE ASSISTANT

TO
A

DEPUTY SOLICITOR GENERAL

SUBJECT
SUJET

Letter re Kingston Disturbance -
R.J. Hutcheon

JUN 8 10 39 AM '71
FILE 646-5/29-1
DOSSIER

D/M

OUR FILE - N/RÉFÉRENCE

YOUR FILE - V/RÉFÉRENCE

DATE

June 7, 1971
REFER REPLY TO
ENVOYER LA RÉPONSE À

TEL. NO.
TÉL.

The attached letter dated June 1, 1971 from Mr. R.J. Hutcheon is forwarded for the preparation of a reply please for the Minister's signature.

The Minister has not as yet seen this letter.

②

Mr. Riddiough J. Robert

J.R. Cameron

For your consideration - preparation of a reply, pls.

R.M.J. La Brosse

JUN 8 1971

R. J. Hutchison

3765 Montrose Road

Box 237

RECEIVED
OFFICE OF THE
SOLICITOR GENERAL

JUN 4 3 14 AM '71

(416) 354-4482

Niagara Falls, Ontario, Canada

June 1, 1971.

Dear Sir,

I note by this mornings Globe & Mail, that you have seen fit to charge a number of individuals for infractions of the rules during the Kingston riot. I wonder first of all why you did not take an interest in the problems of our penal institutions so that a situation such as this could have been avoided? I was aware this was to happen months ago so I am sure you were aware it was in the wind.

After seeing the conditions and the quality of your so called correctional officers in penitentiaries I see no wonder at such a thing happening and I was happy to see it happen to bring the public to date of conditions. It will be a big whitewash in the governments favour by the time it is finished though as the government is noted for covering up its errors by outright lies. I am only sorry to hear of the two persons who died for this cause not of their own chosing naturally but again due to government stupidity in not protecting them as required by law.

As long as correctional institutions are under the direction of persons who have had no training in that field but due to being affiliated with the correct political party at the time are given that portfolio as a political plum, there will be problems. Also as long as the government continues to hire guards who have an

FREE ASSISTANCE & GUIDANCE FOR PROBATIONERS & PAROLEES OR TROUBLED YOUTHS

000138

R. J. Hutchison

5
4765 Montrose Road

Box 237

(416) 354-4482

Niagara Falls, Ontario, Canada

average of grade ten or less education we will have a problem in correctional institutions which in itself is a misnaming.

Canadian prisons are a disgrace and it takes things like this uprising to make the public aware of the fact. The government is known for its covering up of things such as this but I hope the public will now push for a change and demand that heads roll for administrators who let the situation get as bad as it is. You yourself are the person who should take some definite action to at least try to improve the present penal system but in all probability will sit back afraid of losing your job if you propose changing our medieval correctional or penal system.

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I am sure you are aware this is not the last of prison uprisings in Canada. Unless the situation is drastically improved there will be more in the near future.

Hoping you will at least take the time to reply to questions put to you, I remain,

Yours truly,

R. J. Hutchison
R. J. Hutchison.

12311 (1)

12-5-4

June 7, 1971
OTTAWA, Ontario
K1A 0P8

Dear Mr. Holvick:

This will acknowledge receipt of your letter of May 13, 1971.

Because of its terms of reference the Commission of Inquiry appointed by my Department to investigate and report on the recent disturbance at Kingston Penitentiary will concern itself with matters relating to internal problems.

The reports of such Commissions are considered to serve internal purposes and it has never been the practice to make these reports public.

A precedent has already been established in this case in that while it is customary for all members to be departmental officers, two of the three members of the Commission are from outside the Department.

Although I do not propose to make the Commission's report public it is my intention to make known to members of the House of Commons any recommendations contained in the report except in the case where the Commission of Inquiry requests that a particular recommendation(s) not be made public.

Thank you for your interest in this matter.

Yours sincerely,

Original signed by
JEAN-PIERRE GOYER

WJMEDER/RMJLABROSSE/ML

Jean-Pierre Goyer

CC: W.J. Meder C.P.S.

DISTRIBUTION:

Mr. Bruce Holvick,
4000 - 30th Avenue,
VERNON, British Columbia.

Minister's Office:	ORIGINAL & 2 COPIES
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Commissioner:	1 Copy
	FLOATER
	FILE
Secretariat:	2 Copies
	Shannon

000140

Ottawa, K1A 0P8
June 4, 1971

Dear Mr. Cameron:

The condensation and combining of several separate news items relating to federal penitentiaries by the Montreal Star on May 22 has given the impression that my public statement about penal form was a reaction to the death of one inmate and the unruly behaviour of inmates in Millhaven and Dorchester institutions.

In fact, I was speaking to a reporter of the Parliamentary Press Gallery about prison reform in general and, specifically, about some of the changes I plan to make in the federal penitentiary system. The point I make- and continue to emphasize in all my public statements- is violent, irresponsible, and irrational action by inmates will impede reform, change and progress. Such behaviour by inmates encourages the public to adopt a negative attitude toward government reform measures and makes the definition of a consensus more difficult.

It is not a correct interpretation of my policy to suggest that I am using the hope of penal reform as a coercive measure to obtain the co-operation of criminal offenders serving sentences in federal penitentiaries. Reform and change will continue to be my objectives, despite the attitudes of penal inmates, but they must realize that the rate of change will be governed to a large extent by their behaviour as perceived by the citizen. Inmates who take hostile, disruptive, action in support of their grievances, imaginary or real, will have to learn that such behaviour is not condoned by society and, if they persist in this kind of behaviour, that they are setting back reformative and corrective programs that would benefit all criminal offenders.

Yours sincerely,

JEAN - PIERRE COYER

Jean-Pierre Coyer,
Solicitor General of Canada.

Mr. Ken Cameron,
Dawson College,
350 Selby Street,
Westmount 215, Québec.

8-6-71

1.1.5.

MEMORANDUM
GOVERNMENT OF CANADA



NOTE DE SERVICE
OFFICE OF THE SOLICITOR GENERAL
GOUVERNEMENT DU CANADA

JUN 8 3 56 PM '71	
OUR FILE - N/REFERENCE 333 (1)	
YOUR FILE - V/REFERENCE	
DATE June 8, 1971	
REFER REPLY TO ENVOYER LA REPOSE À	TEL. NO. TEL.

FROM
DE

Commissioner of Penitentiaries

FOR
A

The Minister

SUBJECT
SUJET

Suspension of Two Officers from Duty
Kingston Penitentiary

1. The under-mentioned officers of Kingston Penitentiary were suspended from duty on suspicion of being involved in pilfering inmate hobbycraft items following the recent disturbance at Kingston Penitentiary.

(a) Hospital Officer [REDACTED] - suspended
at 4 p.m. on May 20, 1971.

s.19(1)

(b) Correctional Officer [REDACTED] - suspended
at 10:20 a.m. on May 24, 1971.

2. Both officers remain under suspension pending the report of a fact-finding Board established by the Warden to investigate this matter. The report, which is now being typed, will be ready sometime tomorrow.

3. The Warden intends to come to Ottawa to discuss the findings with appropriate officials at this Headquarters.

[Signature]

Chief, Secretariat,
for Commissioner.

OTTAWA, KIA 0P8
May 31, 1971

Dear Mr. Whitelaw:

This is in reply to your letter of May 12, 1971 concerning the Commission of Inquiry into the Disturbance at Kingston Penitentiary. I wish to thank you for your letter and your comments in this regard.

I am pleased to note that you agree that the Commission's report cannot be made public when it is available.

As I stated in the House of Commons on May 18, 1971, after receiving and considering the report I will make a statement and the recommendations will be published.

Yours sincerely,

Jean-Pierre Goyer

FXO'BIREN/hp

Mr. A.B. Whitelaw, President
John Howard Society of Ontario
168 Isabella Street
Toronto 285, Ontario

6242 (410)

OTTAWA KIA OP8

June 2, 1971

Dear Dr. McLeish:

Thank you for the kind comments contained in your telegram of May 29, 1971 expressing your approval of the handling of the Kingston - Millhaven situation.

With regard to apparent criminal acts that have been committed, information has been laid with the police forces who are at present investigating this case.

Please accept my appreciation of your support in this matter and for making your views known to me.

Yours sincerely,

Original Signed by
JEAN - PIERRE GOYER

Jean-Pierre Goyer

DISTRIBUTION:

Dr. John McLeish,
252 Bloor Street West,
TORONTO, Ontario.

Minister's Office:	ORIGINAL & 2 COPIES
D/Minister:	1 COPY
Commissioner:	1 COPY
	FLOATER
	FILE
Secretariat:	2 COPIES
	SHANNON

MEMORANDUM
GOVERNMENT OF CANADA



NOTE DE SERVICE
GOUVERNEMENT DU CANADA

FROM
DE

Acting Executive Assistant

TO
À

Mr. Paul Faguy
Commissioner of Penitentiaries

SUBJECT
SUJET

Prosecution - Re Beatings at Kingston Penitentiary

The attached copy of telegram dated May 29, 1971 from Dr. John McLeish is referred for preparation of appropriate letter of reply for Solicitor Generals' signature, please.


J.R. Cameron

OUR FILE - N/RÉFÉRENCE	
YOUR FILE - V/RÉFÉRENCE 12-5-4	
DATE May 31, 1971.	
REFER REPLY TO ENVOYER LA RÉPONSE À	TEL. NO. TÉL.

Document disclosed pursuant to the Access to Information Act / Document divulgué en vertu de la Loi sur l'accès à l'information

CANADIAN NATIONAL • CANADIEN NATIONAL

TELECOMMUNICATIONS

CANADIEN NATIONAL • CANADIEN PACIFIQUE

6115B(12-67)

QJF957

1971 MAY 29 AM 9 52

QJF958(290848)

CN INV953 CNT CRT TORONTO ONT 29 943A EDT
HON JEAN-PIERRE GOYER SOLICITOR GENERAL

PARLIAMENT BLDS OTTAWA CANADA
AS A SUPPORTER OF THE PRESENT GOVERNMENT AND AS ONE WHO
ADMIRE YOUR HANDLING TO DATE OF THE KINGSTON-MILLHAVEN
SITUATION I VIGOROUSLY PROTEST THE APPARENT FAILURE TO
PROSECUTE THE MONSTERS RESPONSIBLE FOR THE BRUTAL BEATING UP
OF FELLOW PRISONERS AT KINGSTON. I TRUST THAT YOU WILL WHOLLY
REJECT THE SICK CONCEPTIONS OF JUSTICE PUT FORWARD BY NDP
MEMBERS EAGER TO PROTECT THEIR CREDIT RATING WITH CERTAIN
PRISON LEADERS. THESE ARE THE SAME NDP PEOPLE WHO COULD NOT
FIND SYMPATHY FOR PIERRE LAPORT AND HIS FAMILY AT THE HEIGHT OF
THE WAR MEASURE CRISES. THIS ALSO ACCOUNTS FOR THEIR FAILURE
TO ENLIST THE VOTES AND SUPPORT OF THE CANADIAN PEOPLE

RECEIVED
OFFICE OF THE
SOLICITOR GENERAL
MAY 31 10 43 AM '71

000146

CANADIAN NATIONAL • CANADIAN PACIFIC

TELECOMMUNICATIONS

ANADIEN NATIONAL • CANADIEN PACIFIQUE

6115B(12-67)

DR JOHN MCLEISH 252 BLOOR STREET WEST TORONTO.

Per 235-4843

mme Boucher 733-9374

Mme B. 1110A
MP



Mme B.

MEMORANDUM
GOVERNMENT OF CANADA



NOTE DE SERVICE
GOUVERNEMENT DU CANADA

RECEIVED
OFFICE OF THE
SOLICITOR GENERAL
JUN 3 8 37 AM '71

FROM
DE

Commissioner of Penitentiaries

TO
À

Mr. J.R. Cameron
Acting Executive Assistant

SUBJECT
SUJET

TELEGRAM FROM DR. JOHN McLEISH
ON THE KINGSTON - MILLHAVEN SITUATION

OUR FILE - N/RÉFÉRENCE	
6242 (410)	
YOUR FILE - V/RÉFÉRENCE	
12-5-4	
DATE	
June 1, 1971	
REFER REPLY TO ENVOYER LA RÉPONSE À	TEL. NO. TÉL.

1. Reference is made to your memo of May 31, 1971.
2. Attached is a letter of reply to Dr. McLeish for the Minister's signature.

Chief, Secretariat
for Commissioner

Att.



C
MEMORANDUM

CLASSIFICATION

TO
A

AU MINISTRE.

YOUR FILE No.
Votre dossier

OUR FILE No. 185/12(1)
Notre dossier

FROM
De

DU COMMISSAIRE DES PENITENCIERS.

DATE le 26 mai 1971.

FOLD

SUBJECT
Sujet


Commission d'enquête - Kingston.

1. J'inclus, pour votre information, copie d'une lettre que j'ai reçu aujourd'hui même de M. Ian Scott, conseiller à la Commission d'enquête sur l'incident de Kingston, expliquant à l'Association Canadienne du Barreau les raisons qui ont porté la Commission à ne pas rendre publiques les délibérations de la Commission.

2. J'espère discuter avec M. Scott demain la question de rendre publiques les recommandations ou certaines parties du rapport, tel qu'il l'aurait déclaré d'après le Globe & Mail. M. Popp, qui est membre de la Commission, m'assure que M. Scott n'a pas fait cette déclaration.

Annexe.

PAF/MBB


Commissaire.

CAMERON, BREWIN & SCOTT

372 BAY STREET, TORONTO 1, ONTARIO

May 21, 1971.

John Hodgson, Esq., Q.C.,
Vice-President for Ontario
and
Members of Council of
The Canadian Bar Association,
25 King Street West,
Toronto, Ontario.

Dear Mr. Hodgson:

I thank you for providing to me today, a copy of the telegram that you sent yesterday to the Solicitor-General of Canada and to the Minister of Justice and Attorney-General of Canada about the proceedings of the Commission of Inquiry into Certain Disturbances at Kingston Penitentiary.

Your telegram appears to raise the following points:

1. Your assertion that the hearings of the Commission should be in public with the proviso that "in individual cases (steps be taken to) protect the identity of witnesses or other persons".
2. Your assertion that persons appearing before the Commission should be able to retain counsel.

As counsel to the Commission and as a member of the Bar, I do not consider it part of my duty to respond to newspaper editorials or other like public comments about the work of the Commission. However, your telegram, which I am advised was released to the press, does in the public mind represent a collective view of the Ontario Section of the Canadian Bar Association and I cannot, therefore, let it pass without comment.

C
O
P
Y

- 2 -

I very much regret that the Ontario Section of the Canadian Bar Association expressed itself by telegram without communicating first with the counsel to the Commission and without apparently examining the transcript of the public hearing of the Commission held in Kingston on May 17, 1971, in which the rules of procedure to be adopted by the Commission were made public. I think that had this been done, certain misconceptions and errors of fact might have been avoided.

With respect to the first issue, the Commission has given very serious consideration to the necessity of conducting a substantial portion of its hearings in camera. The Commission's determination that such must be the case was achieved mindful of the dangers that exist when in camera hearings are conducted, but also responsive to its duty to do nothing to imperil the fair trial of persons, whether witnesses or anyone else, against whom the appropriate law enforcement agencies might take criminal proceedings. The dilemma created by these competing principles is a real one and in order to advise the Commission, I would be grateful for your views as to the manner in which it would be possible in public hearings to "protect the identity of witnesses and other persons", bearing in mind that the vast majority of the witnesses called will be either inmates or correctional officers.

With respect to the second issue, your telegram clearly did not consider the very extensive rights to counsel which were guaranteed by the Commission both for witnesses and other persons against whom reports might ultimately be made by the Commission. In this connection, I am enclosing, for your consideration, a transcript of the Commission's hearings to date. I may say that we have had the full co-operation of the Kingston Area Director of the Ontario Legal Aid Plan in assuring that all such persons obtain representation if they desire it.

- 3 -

I am, of course, pleased that the Canadian Bar Association should be concerned to assure "the integrity of the proceedings before the Swackhamer Commission of Inquiry". It seems to me, however, with the greatest respect, that the integrity can best be guaranteed by assuring that statements made by the Association to responsible public officials or to the press are informed and accurate.

Yours very truly,

IS/ac
Encl.

IAN SCOTT
Counsel to the
Commission of Inquiry.

cc: The Honourable Jean-Pierre Goyer,
Solicitor General of Canada,
Sir Wilfrid Laurier Building,
340 Laurier Ave. West,
Ottawa, Ontario.

cc: The Honourable John N. Turner,
Minister of Justice and
Attorney General of Canada,
Department of Justice,
Ottawa, Ontario.

cc: J. D. Ground, Esq.,
Secretary to the
Council of
The Ontario Bar Association,
Messrs. Osier, Hoskin,
Barristers & Solicitors,
4 King Street West,
Toronto, Ontario.

CAMERON, BREWIN & SCOTT

372 BAY STREET, TORONTO 1, ONTARIO

May 21, 1971.

John Hodgson, Esq., Q.C.,
Vice-President for Ontario
and
Members of Council of
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Toronto, Ontario.

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C
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- 2 -

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- 3 -

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Yours very truly,



IS/ac
Encl.

IAN SCOTT
Counsel to the
Commission of Inquiry.

cc: The Honourable Jean-Pierre Goyer,
Solicitor General of Canada,
Sir Wilfrid Laurier Building,
340 Laurier Ave. West,
Ottawa, Ontario.

cc: The Honourable John N. Turner,
Minister of Justice and
Attorney General of Canada,
Department of Justice,
Ottawa, Ontario.

cc: J. D. Ground, Esq.,
Secretary to the
Council of
The Ontario Bar Association,
Messrs. Osler, Hoskin,
Barristers & Solicitors,
4 King Street West,
Toronto, Ontario.

121 (1)

Ottawa KIA 0P8

May 11, 1972.

Dear Miss Norland:

This will acknowledge receipt of your letter of April 22, 1972 on the subject of the recent disturbance at Kingston Penitentiary.

I share your concern over the plight of those unfortunate persons who are sentenced by the courts to imprisonment and in particular those who must be incarcerated in our federal maximum security institutions. I take the view that inmates in our correctional institutions remain members of our society although temporarily segregated from it and my Department is pursuing increasingly progressive penitentiary programmes to meet the needs of this group so that they may eventually return as free members of that society and take a responsible place in the community.

The whole question of improvement of penitentiary services and methods of rehabilitation presents both short and long term problems which involve not only the government, the Penitentiary Service, and the inmates but also the Canadian public. I have appointed a working group composed of outside and departmental sources to look into the rehabilitation approach for maximum security institutions and to recommend the type of new programmes and facilities that should be developed.

In another area of concern, I have directed that a study be made of present recruiting standards and a committee in my Department is looking into the whole field of correctional and professional manpower needs.

I hope the foregoing will give you some insight into what is being done and what my Department intends to do by way of penitentiary reform. Changes must, of course, take place in an orderly manner and the speed at which changes can be made depends jointly on the co-operation of the inmates with the department and on public understanding and support.

Thank you for your interest in these matters and for making your views known.

Yours sincerely,

Original Signed By
JEAN - PIERRE COYER

WMEDER/dg

Miss Amy Norland,
613 Michigan Avenue,
Sarnia, Ontario.

Jean-Pierre Coyer
MINISTER'S OFFICE: original & 2 copies ✓
B.S.G.: 1 copy
COMMISSIONER: 1 copy
FILE: 1 copy
FLOATER: 1 copy
SEC.: 1 copy
SHANNON: 1 copy

MEMORANDUM

GOVERNMENT OF CANADA



NOTE DE SERVICE

GOUVERNEMENT DU CANADA

FROM
DE

ACTING EXECUTIVE ASSISTANT

TO
À

MR. PAUL FAGUY
COMMISSIONER OF PENITENTIARIES

SUBJECT
SUJET

Kingston Penitentiary Disturbance -
Letter dated April 22, 1971 from
Miss Amy Norland

OUR FILE - N/RÉFÉRENCE

YOUR FILE - V/RÉFÉRENCE

DATE

April 27, 1971

REFER REPLY TO
ENVOYER LA RÉPONSE À

TEL. NO.
TÉL.

The attached copy of the referenced letter is
forwarded for the preparation of a reply for signature
by the Solicitor General.

J.R. Cameron

Copy - 12312 (1)

RECEIVED
OFFICE OF THE
SOLICITOR GENERAL

APR 26 9 39 AM '71

813 Michigan Avenue
Sarnia, Ontario

April 22, 1971

Mr. Jean-Pierre Goyer
Solicitor-General
OTTAWA, Ontario

Dear Sir:

People across Canada join WITH the inmates of Kingston Penitentiary in sincerely requesting that appropriate prison reforms be implemented. Meaningful changes which will give the inmates a chance to solve personal problems and learn to cope with the stresses of day-to-day living. I have written several briefs to the Justice Committee in the last two years...they deal mostly with attitudes. I have listened to inmates, officials, guards, mothers, wives, friends, people, -people, and I can no longer keep quiet.....Your department must take a positive stand in advancing and clearly stating attitudes....every time, you keep quiet you are being negative and apathetic. Most out-dated attitudes clearly stem from out-dated social or religious ideas based on suspicion and fear, not scientific knowledge. We are supposed to interact with people, to hold up our end and each time one of us lets go, someone is left 'standing naked in the sunlight'. That is how some people become prisoners....in my eyes...often times, the letting go was a long time before the arrest but these people are in need. In the case of Kingston, the prison authorities are the ones who left the prisoners standing naked, they were the ones entrusted with their care, they owed it to the inmates to make positively sure that they knew the TRUTH about MILLHAVEN. Adequate advanced knowledge and the opportunity to discuss their future. Each one of us has a basic instinct of self-preservation, and it doesn't take too much self-knowledge to decide that fear of the unknown, mental anguish at not being able to control one's destiny, (we know that inmates have already shown they 'act' when they are not able to control their destiny) fear of losing what was familiar (even if it was only that hole) lack of trust and loss of dignity at not being treated in an adult manner...these are the things on which the inmates formed their judgement and you have to admit it is the fault of the prison authorities if it was not an informed judgement....^{or was it} We tend to

Forget that no Court of Law ever gave away the right of an individual over his intellect and his will....just control of the body...we can imprison the body but the inmate retains his intellect and his will. A person's human dignity (an intellect and a will is what makes us human) the humanity of the inmate has to be considered if we intend to be considered in return. and right there is what is wrong with our penal system...we do not have control over the intellect and will of another but we should make it our duty to give everyone the opportunity to make decisions based on facts, reasonable choices that are not based on suspicion and fear nor callousness.

I fail to understand why the government does not place more emphasis on giving status to guards...this whole area must be upgraded with proper importance placed on human relations. Many teachers will be losing their jobs because they will be displaced by automation and why could they not be retrained for duties in institutions of this type...it is the government's responsibility to try and attract idealistic, scientifically trained people for these positions, MSW's, psychologists, etc.

If we face the reality of the situation on a one-to-one basis, you and I both know that we make mistakes every day and that someone who cares encourages us to try another approach and points out where we went wrong...the inmates have these same basic needs....and heaven knows that if I make a mistake and you're the only person that can help me and you close your mind to my need for help because you are intent on revenge for the pain that my mistake has caused you, we will both lose because the cycle will repeat itself...so one of us is going to have to change and if you know the answer...another way...we will break out of the cycle...the inmates have given you a list of what their problems are....will you not try to see if you can assist them to break out of the cycle...don't leave them standing naked in the sunlight...On behalf of all the lonely people who wait in jails, I am pleading for meaningful changes which will give the inmates an opportunity to clothe themselves in the raiments of dignity, hope and trustlet's not deny them the opportunity to rise above ignorance. Everyone should have the opportunity to make knowledgeable choices based on facts rather than suspicion and fear, with hope as our motive for so doing not degradation.

Yours sincerely,

c.c. Mr. Ron Haggart,
Citizen's Committee.
c/o Toronto Telegram.

Umy Norland

*They followed an example!
They treated each other
the only way they
knew how - the next
generation will have
a better background!!*

MEMORANDUM
GOVERNMENT OF CANADA



NOTE DE SERVICE
GOUVERNEMENT DU CANADA

FROM
DE

Commissioner of Penitentiaries

TO
A


FOR

Mr. J.R. Cameron,
Acting Executive Assistant

SUBJECT
SUJET

Letter from Miss Amy Norland,
on Disturbance at Kingston Penitentiary

1. Reference is made to your memorandum of April 27, on this subject.
2. Attached is a letter of reply to Miss Norland for the signature of the Minister.


Chief, Secretariat,
for Commissioner.

OUR FILE - N/RÉFÉRENCE	
121 (1)	
YOUR FILE - V/RÉFÉRENCE	
DATE	
May 11, 1971.	
REFER REPLY TO ENVOYER LA RÉPONSE À	

RECEIVED
GENERAL
MAY 11 3 34 PM '71

Ottawa, Ontario, K1A 0P8
May 5, 1971.

Dear Mr. Gascon:

I acknowledge receipt of your letter dated April 22nd suggesting that the penitentiary officers, who were held as hostages in the recent incident at Kingston Penitentiary, be awarded an ex-gratia payment of \$5,000.00 as well as thirty days paid holidays.

Your interest in these employees is easily understood. I, the Commissioner, and the staff of the Penitentiary Service are all most concerned about these situations and truly appreciate the mental anguish these men suffered.

As you are aware, the officers concerned have been treated as if they had been performing their normal duties during the total period of their detention and have been paid at the appropriate overtime rates. They are, also, entitled to sick leave, if necessary, for the purpose of recovering from this unfortunate ordeal. I understand action was taken by the local authorities to make their recovery as peaceful as possible.

I recognize that the functions of penitentiary officers can be, at times, quite difficult in view of their responsibility for custody, while efforts are being made at rehabilitation of inmates through their participation in various programs within the institution requiring movement of inmates from one area to another. However, I understand that in classifying these positions, the working conditions and the hazards encountered in the performance of these duties were given full recognition in the Classification Standards. In addition, I am informed that the rates of pay agreed upon during the last round of negotiations took into account the environment and hazards that are inherent in penitentiary work.

... 2

... 2

While we all deplore this recent incident and recognize that the officers concerned appear to have stood up very well under it, it is nevertheless recognized that the risk of assault is a continuing condition of employment and therefore, unfortunately, I can see no justification for creating a precedent and acceding to your request for special compensation.

Yours truly,

Original signed by
JEAN-PIERRE GOYER

Jean-Pierre Goyer.

Mr. Paul Gascon,
Executive Secretary-Treasurer,
Public Service Alliance of Canada,
Solicitor General Component,
Suite 1006,
233 Gilmour Street,
Ottawa 4, Ontario.

RAFAGUY:cl

Diffusion: Solliciteur général: 1 & 2 ✓
Sol. général adjoint: 1
Commissaire : 1
Secrétariat : 1
Floater : 1
Shannon : 1
Dossier 185/12 (1) : 1

Penitentiary Service is
preparing reply *by*
26 Apr 71

000164

BUREAU NATIONAL OFFICE
SUITE 1006, 233 GILMOUR,
OTTAWA 4, ONTARIO.

PUBLIC SERVICE ALIEN
SOLICITOR GENERAL COMPONENT
L'ALLIANCE
LE GÉNÉRAL DU SOLICITEUR
KA RDN
RÉPUBLIQUE DU CANADA

April 22, 1971.

The Honourable Mr. J.P. Goyer,
Solicitor General of Canada,
House of Commons,
Ottawa, Ontario.

RECEIVED
OFFICE OF THE
SOLICITOR GENERAL
APR 23 2 28 PM '71

Dear Mr. Goyer:

It has been with a mixed feeling of dismay and astonishment that we have been made aware of the regrettable situation of many prison guards held as hostages by inmates at Kingston Penitentiary during the riot that began on April 14 and that ended with the death of one inmate, injuries suffered by eleven more prisoners and material losses valued at over one million dollars.

You will no doubt understand and agree with us that working conditions, in the case of civil servants employed in federal penal institutions are sometimes quite difficult and that, unfortunately, the public at large is unaware of such conditions.

Those employees are responsible, on a full-time basis, for our society's security by looking after the custody and surveillance of dangerous criminals while, at the same time, trying to influence and change their frame of mind to turn them into law-abiding citizens.

Those officers held as hostages have paid the price of their dedication to a society always prone to question our time-honoured institutions.

Their very lives were continuously threatened and without that tactful approach by members from your own department, many of those officers might be dead by now.

.../2

- 2 -

They, along with members of their families, have lived through long hours of anguish beyond words and during four days have suffered mental and physical hardship the consequences of which cannot be evaluated.

Furthermore, such hardship cannot be compensated by the sole satisfaction of having done one's duty.

Those officers and members of their families deserve the respect and consideration of all Canadian citizens and it is the duty of the Government of Canada to compensate those officers on behalf of that society whose security they look after.

The Public Service Alliance of Canada - Solicitor General Component, ask that the Canadian Government grant a \$5,000 compensation to each officer held as hostage and also that your department, as their employer, grant them a one month leave with pay to facilitate their physical and mental recovery.

We think proper to remind you at this time that Mr. James Cross was awarded, by his employer, a \$50,000 compensation and a medal of merit for the period during which he was held as hostage by members of the Front de Libération du Québec.

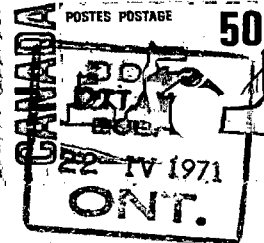
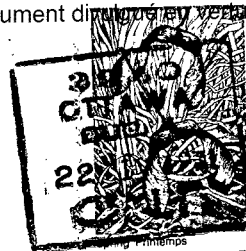
It is our hope, dear Mr. Goyer, that the officers' employer will be as grateful and express that gratitude as eloquently as it was, in the case of Mr. James Cross' employer.

Trusting to hear favourably from you and thanking you in advance for your kind attention to this matter, we are, Sir,

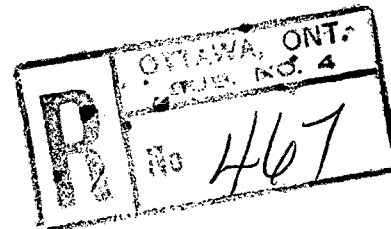
Yours very truly,

A handwritten signature in dark ink, appearing to read "Paul Gascon", with a stylized, flowing script.

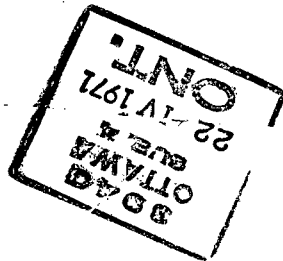
Paul Gascon,
Executive Secretary-Treasurer.



The Honourable Mr. J.P. Goyer,
Solicitor General of Canada,
House of Commons,
Ottawa, Ontario.



Salutation General
Public Service Alliance of Canada
233 Metcalfe St. Rm 1006
Ottawa, Ont.



BUREAU NATIONAL OFFICE
SUITE 1006, 233 GILMOUR,
OTTAWA 4, ONTARIO.

PUBLIC SERVICE ALLIANCE OF CANADA
SOLICITOR GENERAL COMPONENT
L'ALLIANCE DES FONCTIONNAIRES
ELEMENT DU SOLICITEUR GENERAL
LA ROYAL CANADIAN MOUNTED POLICE
ROBLIQUE DU CANADA

PRESS RELEASE

Friday April 23, 1971.

For immediate release

UNION SEEKS COMPENSATION FOR PRISON GUARDS

The union which represents Canada's Penitentiary Officers wants the government to compensate the prison guards who were held hostage last week at Kingston Penitentiary.

In a letter sent Thursday to the Honorable Jean-Pierre Goyer, the Public Service Alliance of Canada - Solicitor General Component asks the government to grant \$5,000 compensation to each of the officers who were held hostage. The union also says the guards should be given one month's leave with pay to facilitate their physical and mental recovery.

Paul Gascon, Secretary-Treasurer of the PSAC - Solicitor General Component says in the letter to Mr. Goyer that the general public is unfortunately too often unaware of the working conditions faced by the penitentiary officers who are responsible, on a full-time basis, for maintaining our society's security through the custody and surveillance of dangerous criminals.

The guards who were held hostage, says Mr. Gascon, have paid the price of their dedication by facing the threat of death during the period when they were held hostage by the rioting prisoners. They have lived through long hours of anguish beyond words and during four days have suffered mental and physical hardship which are hard to evaluate.

"We think it proper to remind you that Mr. James Cross was awarded by his employer a \$50,000 compensation", says Mr. Gascon. "It is our hope that the officers employer will be as grateful and will express that gratitude as eloquently as it was expressed in the case of Mr. Cross."

Those officers and members of their families deserve the respect and consideration of all Canadian citizens and it is the duty of the Government of Canada to compensate those officers on behalf of that society whose security they look after.

FOR FURTHER DETAILS: Contact Paul Gascon - (Area 613) 232-4821

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Handwritten signature: *Handwritten signature*

For Robert
your
Sister
Peggy



MEMORANDUM RECEIVED
OFFICE OF THE
SOLICITOR GENERAL

CLASSIFICATION

MAY 5 9 16 AM '71

YOUR FILE No.
Votre dossier

OUR FILE No.
Notre dossier

185/12 (1)

DATE

5 May 1971.

FROM
De

COMMISSIONER OF PENITENTIARIES.

SUBJECT
Sujet

HOSTAGES AT KINGSTON DISTURBANCE -
SUGGESTION PUT FORWARD BY P.S.A.C.

1. Attached, for the Minister's approval and signature, is letter to the Public Service Alliance of Canada in reply to the suggestion that an ex-gratia payment be awarded to the hostages at Kingston disturbance.

C. Lawson

for P. A. FAGUY,
COMMISSIONER.

Encl.

BF 31 May 71
eg

MEMORANDUM
GOVERNMENT OF CANADA



NOTE DE SERVICE
GOUVERNEMENT DU CANADA

FROM
DE

ACTING EXECUTIVE ASSISTANT

TO
A

DEPUTY SOLICITOR GENERAL
ATTN: DEPARTMENTAL SECRETARY

SUBJECT
SUJET

Publicity - Commission of Inquiry, Kingston

OUR FILE - N/RÉFÉRENCE	
YOUR FILE - V/RÉFÉRENCE 12-5-4	
DATE May 17, 1971	
REFER REPLY TO ENVOYER LA RÉPONSE À	TEL. NO. TÉL.

The attached copy of alletter dated May 12, 1971 from the President of the John Howard Society of Ontario is forwarded for the preparation of a reply for signature by the Solicitor General.

As this letter does not appear to admit of other than a substantive reply no acknowledgment has been made and your early attention would be appreciated.

J.R. Cameron

JOHN HOWARD SOCIETY OF ONTARIO

Founded by

LATE BRIG.-GEN. D. C. DRAPER
C.M.G., D.S.O.

168 ISABELLA ST.
TELEPHONE: 925-4386
TORONTO 285 — CANADA

A. B. WHITELAW, Q.C.
President

W. P. FREYSENG
Past President

E. BROWN
G. C. MERRITT
L. W. SKEY
Vice-Presidents

R. R. CORSON
Treasurer

May 12, 1971

RECEIVED
OFFICE OF THE
SOLICITOR GENERAL
MAY 14 9 01 AM '71

J.P. Goyer, Esq.
Solicitor General
Parliament Buildings
OTTAWA, Ontario

Dear Mr. Goyer:

The interest of the public with regard to correctional matters is presently focussed upon the riot or insurrection which took place at Kingston Penitentiary recently. Our Society views the resulting comments and publicity as an opportunity to make the public aware of the problems which exist with respect to the handling of long term offenders. It must be made clear that no simple solution has been found anywhere in the world but that the Government and all parties in the correctional field are most anxious to do what is necessary to advance the cause of corrections by building institutions around programmes which will be directed towards the rehabilitative process.

Our present concern results from the fact that a Commission of Inquiry was set up to investigate the violent occurrences at both Kingston and Millhaven. An invitation to the public to give information was made by advertisement in at least one Toronto newspaper. I wish to emphasize that this advertisement related both to Millhaven and Kingston Penitentiary. We are concerned with your subsequent statement to the effect that the results of this Commission of Inquiry would not be made public. We agree that this procedure is desirable from the view point of your Department and the Government in making a free and impartial assessment of the problem. What I am suggesting, however, is that without making full disclosure of the findings and evidence taken at the Commission of Inquiry, some statement be made by you. We feel that it is in the public interest to clarify the situation at some suitable time so that individuals who come forward with information may not feel that their assistance is only related to something which involves the Government but is an investigation which was in part shared by the communities.

Yours very truly
JOHN HOWARD SOCIETY OF ONTARIO


A. B. WHITELAW - President

abw:kw

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Windsor
W. BULLER

A. M. KIRKPATRICK
Executive Director

A. K. COUSE
Associate Director

121 (1)

OTTAWA K1A 0P8

May 10, 1971

Dear Mr. Male:

Your letter of April 20, 1971 addressed to the Honourable John Turner, Minister of Justice, has been referred to me as Minister responsible for federal penitentiaries.

In answer to the questions you have asked, I am prepared to say only that I have ordered an investigation into the recent disturbance at Kingston Penitentiary. This will be a time consuming task and a full report is not expected for several weeks or perhaps months.

I hope you will understand my reluctance to express an opinion on any aspect of the disturbance before the investigation has been completed and I have had an opportunity to study the report.

Yours sincerely,

Original Signed By
JEAN-PIERRE GOYER

Jean-Pierre Goyer

W.J. MEDER/cag

Mr. Charles Male,
174 Beacon Hill Road,
BEACONSFIELD, Quebec.

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	SHANNON

MEMORANDUM
GOVERNMENT OF CANADA



NOTE DE SERVICE
GOUVERNEMENT DU CANADA

FROM
DE

Commissioner of Penitentiaries

TO
À

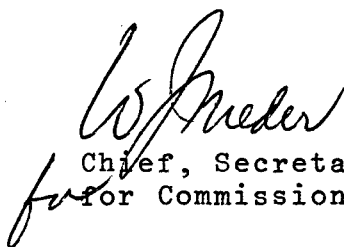
Mr. J.R. Cameron

SUBJECT
SUJET

DISTURBANCE
KINGSTON PENITENTIARY

OUR FILE - N/RÉFÉRENCE	
121 (1)	
YOUR FILE - V/RÉFÉRENCE	
DATE	
May 7, 1971	
REFER REPLY TO ENVOYER LA RÉPONSE À	TEL. NO. TÉL.

1. Reference is made to your memo of May 5, 1971.
2. Attached is a letter of reply to Mr. Charles Male for the Minister's signature.


Chief, Secretariat
for Commissioner

Att.

19 May 71
EJ.

MEMORANDUM
GOVERNMENT OF CANADA



NOTE DE SERVICE
GOUVERNEMENT DU CANADA

FROM
DE

ACTING EXECUTIVE ASSISTANT

TO
À

MR. PAUL FAGUY
COMMISSIONER OF PENITENTIARIES

SUBJECT
SUJET

Disturbance at Kingston Penitentiary

OUR FILE - N/RÉFÉRENCE	
YOUR FILE - V/RÉFÉRENCE 12-5-4	
DATE May 5, 1971	
REFER REPLY TO ENVOYER LA RÉPONSE À	TEL. NO. TÉL.

The attached copy of a letter dated April 20, 1971 received by the Minister of Justice is forwarded for the preparation of a reply for signature by the Solicitor General.

J.R. Cameron

MINISTER OF JUSTICE - MINISTRE DE LA JUSTICE

Date April 30, 1971.

Forward to Mr. John R. Cameron,
Faire suivre

ACTION REQUEST - FICHE DE SERVICE:

Reply for signature of
Réponse pour la signature du

Please see me re this
S.V.P. me voir à ce sujet

Attention XXX - not acknowledged.
Attention

Information
Renseignement

Note and return
Noter et retourner

Note and return with comments
Noter et retourner avec commentaires

Return with file
Retourner avec dossier

Approval or revision before mailing
Approbation ou revision avant de poster

Other instructions:
Directives supplémentaires:



Michael W. Hunte 000177
Executive Assistant.

2954

RECEIVED
OFFICE OF THE
SOLICITOR GENERAL
MAY 5 10 24 AM '71

174 Beacon Hill Road,
Beaconsfield P.Q.,
April 20, 1971.

Minister's Office Bureau du Ministre	
APR 29 1971	
MIN.	
Ex. Asst.	<input checked="" type="checkbox"/>
SP. Asst.	
SP. Asst.	
Pri. Sec.	
Const. Sec.	

John Turner,
Parliament Buildings, Ottawa, Ontario,
Department of Justice.

Dear Sir,

I would like to know about the
situation of the Kingston Penitentiary.
I would like to know what started
the riot and what is being done about it. Did
the prisoners get these demands.

Yours Truly, Charles Malik

Ottawa, Ontario K1A 0P8
May 10, 1971

Dear Miss Thibert:

I wish to acknowledge and to thank you on behalf of the Solicitor General of Canada, The Honourable Jean-Pierre Goyer, who is out of town for a few days, for your letter of April 19, 1971 which was received this date.

Your interest in the penal institutions and in the treatment programme for prisoners is very much appreciated. Your views have been passed to the appropriate officials of the Department and your letter will be drawn to the attention of the Solicitor General upon his return.

Yours sincerely,

J.R.CAMERON/sd

J.R. Cameron,
Acting Executive Assistant.

Miss Janette Thibert,
1211 Monmouth Road,
Windsor 15, Ontario.

c.c. Commissioner of Penitentiaries - with attachment.

RECEIVED
OFFICE OF THE
SOLICITOR GENERAL

MAY 10 9 29 AM '71

RECEIVED
OFFICE OF THE
SOLICITOR GENERAL
MAY 10 11 55 AM '71

April 19, 1971

Solicitor General
Parliament Buildings
Ottawa, Ontario

Dear Mr. Goyer:

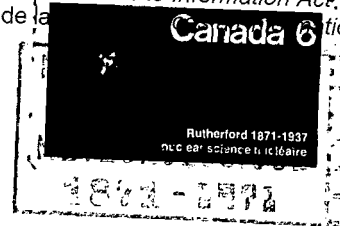
I am a student in Windsor, Ontario and I am personally concerned about the Kingston penitentiary. I have read the newspapers and talk about this issue in school and they should change for the better of society and themselves example: the Sweden has some better ideas and reasonable treatment for their prisoners and it is up-to-date. I feel that this penitentiary and maybe others institutions should be changed for the better of our Country, Canada.

I thank you for your time and I hope you'll accept my point of view.

Yours sincerely

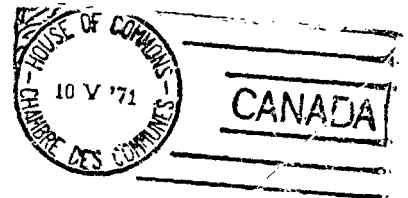
Miss Janette Libert
Student Involved

Miss Janette Thibert
1211 Monmouth Rd.
Winisor 15, Ontario



RECEIVED
OFFICE OF THE
SOLICITOR GENERAL
MAY 10 9 29 AM '71

Mr. Goyer
Parliament Building
Ottawa, Ontario



Ottawa, KIA OP8
May 6, 1971

Dear Mr. Sugarman:

Thank you very much for letting me see the press clippings on the Kingston Penitentiary disturbance that you collected.

From the samples you provided I am sure you offer an excellent service and I wish you all success in your endeavour. Although you may wish to continue sending clippings to me I think you should know that my Department operates its own press clipping service which adequately serves my needs.

I am returning your clippings, enclosed, so you will be able to market them elsewhere.

Yours sincerely,

Mr. Ben Sugarman
3575 Bathurst Street
Toronto, Ontario

Original Signed by
JEAN - PIERRE GOYER
Jean-Pierre Goyer

151 (1)

OTTAWA K1A 0P8
May 4th, 1971

Dear Mr. Allard:

I thank you for your letter of April 22, 1971,
on the subject of recent incidents at the Kingston
Penitentiary.

I also thank you for the kind offer of your
services and should the need arise, I shall certainly bear
your name in mind.

Yours sincerely,

Original Signed by
JEAN - PIERRE GOYER

Jean-Pierre Goyer

Mr. E.O. Allard
Facility Director
X-Kalay Foundation
26 W - 7th Avenue
Vancouver 10, B.C.

GSURPRENANT:jc

DISTRIBUTION:

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12-5-May 71
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MEMORANDUM
GOVERNMENT OF CANADA



NOTE DE SERVICE
GOUVERNEMENT DU CANADA

FROM
DE

ACTING EXECUTIVE ASSISTANT

TO
À

MR. PAUL FAGUY
COMMISSIONER OF PENITENTIARIES

SUBJECT
SUJET

Offer of Services - Earl O. Allard

OUR FILE - N/RÉFÉRENCE

YOUR FILE - V/RÉFÉRENCE

12-5-4

DATE

April 27, 1971

REFER REPLY TO
ENVOYER LA RÉPONSE À

TEL. NO.
TÉL.

The attached copy of a letter dated April 22, 1971 from Mr. Allard is forwarded for the preparation of a reply for signature by the Solicitor General.

J.R. Cameron

DAVID M. BERNER
Executive director

2003:
EARL O. ALLARD
PETER KAGIS
GERALDINE BERNER

RECEIVED
OFFICE OF THE
SOLICITOR GENERAL

APR 26 9 31 AM '71

the **X-KALAY**
foundation society

26 W. 7th Ave., Vancouver 10, B.C. 879-0661

April 22, 1971

The Honorable Jean-Pierre Goyer
Solicitor-General of Canada
Parliament Buildings
Ottawa, Canada

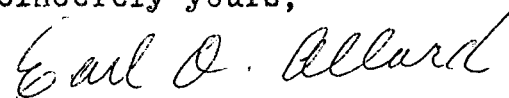
Dear Mr. Goyer:

Pursuant to Mr. Frank Howard's suggestion earlier this week in the House of Commons, I would be pleased to offer my services as a member of the "working group" that you are forming.

As you must realize, I was both dismayed and angered by the Kingston riot. I know from personal experience the **virtually** insurmountable negative attitudes a convict faces, and I and the X-Kalay Foundation have advocated in many ways a revision of the rehabilitative programs now practiced.

Thank you for your attention, and I can assure you that I am more than ready to constructively participate in a review such as you have suggested.

Sincerely yours,



Earl O. Allard
Vancouver Facility Director

EOA/



"THE COMMUNITY WITHIN A COMMUNITY"

000185

OTTAWA, May 4, 1971
KLA OP8

Dear Mr. Steel:

This will acknowledge receipt of your letter of April 25, 1971 on the subject of prison disturbances and riots.

I share your concern and was very much interested in the opinions you express regarding the causes of such disturbances as well as your suggestions for improving the situation. I have referred a copy of your letter to the Commissioner of Penitentiaries who I know will also be interested in the points you have raised.

Thank you for your interest in this matter and for making your views known.

Yours sincerely,

Original Signed by
JEAN - PIERRE GOYER

W.J. Meder/sah

Jean-Pierre Goyer

Mr. A.E. Steel,
1728 Foul Bay Road,
Victoria, B.C.

DISTRIBUTION: Minister (2) ✓
D.S.G.
Commissioner
Floater
Secretariat
Shannon
File: 121 (1)

The Whig-Standard

KINGSTON, ONTARIO

RECEIVED
OFFICE OF THE
SOLICITOR GENERAL
APR 21 12 09 PM '71

April 20, 1971.

Hon. Jean-Pierre Goyer,
Solicitor General,
Government of Canada,
Ottawa, Ontario.

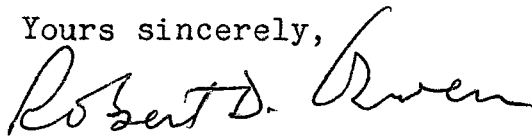
Dear Mr. Goyer:

It seems only proper that I should write to you commending the splendid cooperation the news media in general and The Kingston Whig-Standard in particular received through the good offices of Edgar Babcock, assistant warden of Kingston Penitentiary, and Earl Button, supervisor of office services, during the recent rebellion of prisoners.

Mr. Babcock was extremely cooperative and did a great deal to make it possible for us and for other representatives of the press to obtain accurate information which helped us in avoiding any unnecessary speculation. Much the same thing could be said of Mr. Button. I am sure you agree with me that proper briefing by a responsible official during such serious upheavals does much to keep the public informed and to avoid any sense of panic. Good public relations between prison officials and the press assure that the general public is kept informed and is not made a party to wild rumor.

Probably Mr. Faguy, Commissioner of Penitentiaries, also would be interested in this letter and I hope you will let him see it.

Yours sincerely,



ROBERT D. OWEN,
EDITOR-IN-CHIEF.

RDO:mc

151-31471
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MEMORANDUM
GOVERNMENT OF CANADA



NOTE DE SERVICE
GOUVERNEMENT DU CANADA

FROM
DE

ACTING EXECUTIVE ASSISTANT

TO
À

MR. PAUL FAGUY
COMMISSIONER OF PENITENTIARIES

SUBJECT
SUJET

Prison Riots

OUR FILE - N/RÉFÉRENCE	
YOUR FILE - V/RÉFÉRENCE 12-5.4	
DATE April 27, 1971	
REFER REPLY TO ENVOYER LA RÉPONSE À	TEL. NO. TÉL.

The attached copy of a letter dated April 25, 1971 from Mr. A.E. Steel is forwarded for your information and the preparation of an appropriate letter of reply by the Solicitor General.

J.R. Cameron

BRITISH COLUMBIA

PROGRESSIVE CONSERVATIVE ASSOCIATION

Solicitor General Jean-Pierre Goyer
Minister of Justice:
Commissioner of Penitentiaries:

RECEIVED
OFFICE OF THE
SOLICITOR GENERAL

1728 Foul Bay Rd
Victoria, B.C.
April, 25, 1971.

APR 26 9 31 AM '71

Gentlemen:

Re: Prison Riots:
Prison Administration:

The struggle against crime is older than the Ten Commandments. For ages the record of this struggle was one of unremitting failure. With the rise of science in modern times and its systematic probing of all important mysteries, crime has been subjected to close scrutiny. For more than a hundred years science has affirmed that society not the individual is primarily responsible for crime, but how to treat those who do not conform to the accepted manner of living is a problem which has perplexed society in all ages. The solution is not yet discernable. To-day newspaper headlines " Tories try to get Pen riot-answers" The Solicitor General's effort to set up a "working group" comprising people from outside the Government and departmental authorities to look into the "prison rehabilitation services and present programs for maximum security penitentiaries" has prompted me to submit this missive based on many years in prison service.

How is a prison riot born ?;

Psychologists and sociologists in my opinion know pitifully little about what turns a leaderless gang of inmates into a chargeing, snarling mob capable of destroying by violence an entire institution.

Prison riots are usually started with some type of complaint, sometimes an individual uses the riot mob as a cover for illegality and knows what he is doing. But on the whole attention must be paid to general complaints of inmates and if reasonable and just, some attempt must be made to have them rectified. One idea submitted is to make use of inmate committees in sounding out any tension or causes for grievances of the inmates in general. Most Penitentiary problems can be solved by good meals, plentiful and varied, hard labour properly planned; first, to eventually benefit the inmate, and second to facilitate administration. Good sanitation, proper lighting, and recreation should never be overlooked. Of great importance too is the payment of a per diem allowance to prisoners, a suggested maximum of 50 cents per day, two thirds of which can be paid to the inmates family, if on welfare.

Sundries could then be bought, a prisoner would find it easier to regain confidence in himself in order to meet the unemployment hazard now so persistent and discouraging.

Ignore the above, and you'll have riots.

Riots start when a few inmates assemble for some angry purpose, either spontaneously or at the behest of some organized group, it only takes a few minutes and the angry seed of a riot mob ripens. First the rioters mill around, after sufficient milling and shouting someone pulls the trigger, a fire is set, windows are broken, some inmate screams lets kill so and so, the mob is ripe, hence the result.

My experience is that a single man can stop a prison riot, if he is respected and a recognized individual in the institution.

I refer to the riot in Stony Mountain in 1960, In less than five minutes I had the situation under control.

And with reference to Administration:

In my humble way I would advise all custodial officers that the proper handling of disciplinary matters is one of the most important and at the same time most difficult and complex problems which the prison administrator and the institutional personnel must face.

To maintain discipline, the officer must conduct himself in such a manner that he will not only obtain the respect of the inmates, but preserve his own self-respect. Any officer who would fraternize with the inmates in his charge could scarcely expect them to respect any order he might give. By the same test, if he permits them to perform services for him which are not called for by the regulations, or accepts favours from them, he will be expected to return them in kind.

By such acts, he not only disrupts the plans and policies of the administration but endangers the lives of his brother officers and the security of the institution.

There is a peculiar tension in a prison that exists in no other institution in the world. Inmates observe the officers manner, his personal appearance, his habits, his morals and above all his actions and relations among them as to fairness and equality of treatment.

By skillful treatment the officer can do much to dispel this peculiar tension. Inmates are quick to discover conflicts among the officers, and quick to take advantage of them. The officer's attitude toward his brother officers and his supervisors definitely has a decided bearing on the mind and behaviour of the inmates.

The standards of discipline throughout the prison depend on good relationship among the staff. Thoughtlessness, vulgarity, crabbing, unwarranted criticism, all help to break down the morale of the prison, whereas friendliness and team work create good feeling which soon extends to the inmate population and to the entire community.

Successful penal administration depends to on the inmate morale, how he lives, how he feels, his reactions to treatment. Clean, sanitary surroundings, adequate clothing, well lighted and well-ventilated cells and workshops are important. Food must be clean and wholesome, tasty and properly served and in satisfactory portions. Discipline, after all, consists of a lot of little things, seemingly unimportant in themselves, but which when neglected can affect the whole climate of the institution. Even to riotous behaviour on the part of some inmates.

Injustices should be recognized and dealt with long before riotous conduct brings them into the open. It is destructive of discipline to drive inmates to violence in order to draw attention to injustices that ought to have been promptly recognized. On the other hand, to grant privileges which are not in the best interests of the administration, merely for the purpose of preserving contentment among inmates, is equally destructive.

All these facts, carefully considered, assist us in developing skillful treatment.

BRITISH COLUMBIA

PROGRESSIVE CONSERVATIVE ASSOCIATION

And underlying the entire disciplinary process should be a thorough understanding of its purpose. The only justification for rules and regulations is their help in the administration of any orderly community. The problem begins then, not with the determination of what disciplinary action should be taken, but with the question of what matters should be reported as violations and how they should be reported. The answer may at first appear obvious; report everyone who violates a regulation on Form P.B. 390 and let the Warden take care of it. It is not that simple; every regulation is subject to interpretation; and interpretation in turn is dependent upon individual judgement. Take for example, the matter of insolence; there are many degrees of insolence; dirty looks; disrespectful approach, hesitation in carrying out an order, back talk, moody or argumentative attitudes. Is the Officer to pull out his book and write out a misconduct report every time an inmate looks unpleasant or fails to reply or carry out an order immediately? Then there is the matter of refusal to work--should a man who refuses to climb a scaffold but who is willing to work on the ground floor be reported for refusal to work? There are some cases where inmates have claimed illness and physical inability to work, and have been reported for refusal to work before having been examined by a medical officer. It can hardly be argued that an inmate should be placed in a disciplinary status through the medical diagnosis of a layman. These are the things that cause resentment, breed discontent, and light the flame to prison outbreaks of violence. Regulations require interpretation and the use of judgement in handling behaviour problems before referring them to higher officials for review or disciplinary action. There should be no question that certain types and degrees of violations should always be referred for disciplinary action, but it is just as clear that officers should not try to make a molehill of a violation into a mountainous disciplinary report. Is respect for officials and for order promoted by forcing an inmate into saying words he had no intention of saying in the first place? or by reporting an inmate for insolence when he displays an unhappy countenance or by writing a lengthy report because he saw an inmate not wearing a cap? The officer who is satisfied with doing a routine job, reporting everything that might possibly be considered a violation is not accepting the responsibilities of his work as a correctional agent. He disrupts inmate morale, instigates disorder and hampers the development of order and discipline based on respect. This leads to prison unrest. Then there is the problem of misbehaviour or abnormal behaviour of a mentally irresponsible inmate. He becomes involved in a serious violation of institutional regulations. One day he is considered incompetent and sent to hospital for psychiatric care and treatment. It is hardly reasonable to assume that he was mentally responsible while committing the violations immediately preceding the psychiatric examination. It is not suggested that adverse behaviour can be overlooked because the individual is mentally irresponsible - what is suggested is that many of our problem cases could be recognized as psychiatric cases earlier if officers were more observant and transmitted relevant information on to the proper authorities.

- If officers become more interested in why an inmate does something rather than being contented in simply reporting that he does it, we will not only recognize psychotic patients earlier but will deal more intelligently with many who are not psychotic. Misbehaviour is generally a symptom of the complex causation pattern responsible for the man being in the institution and if we deal with that misbehaviour on the principle of retribution ; an eye for an eye, a tooth for a tooth, forfeiture of remission, segregation or isolation, it may satisfy the untrained emotional officers desire for revenge, but it ~~is~~ fails to solve the inmate's problem. Violations should be viewed in the light of the makeup of the violator-- his defects, the problems he presents and what effect the disposition of the violation will have on the man's long-term adjustment. There will always be some inmates who, when not "given the book" will brag and boast that "they beat the rap" but, in the long run, the inmate population responds to a disciplinary program which operates on the principle of individualization. There are a few officers who think of the administration as being "soft" in dealing with disciplinary problems and who attempt to take disciplinary matters into their own hands. In doing so, they demonstrate that they cannot obey regulations themselves and that they do not have the abilities required of correctional officers. Such actions and attitudes tend to develop sullem and often rebellious attitudes on the part of the inmates and at the worst may provoke an actual assault resulting into a full scale riot. Another problem met in the disciplinary process is the belief of some officers that the administration should take stringent disciplinary action in all cases of violations reported. They contend that if this is not done, it appears they were wrong in making the report and that they cannot maintain order if they are not supported. It might be argued similarly that the Law-enforcement officers in the community cannot keep order if courts sometimes acquit or grant probation and impose suspended or short sentences, whereas experience scarcely proves that the most law-abiding communities are those in which the severest sentences are imposed. Let the officer who demands severe punishment for violation of institutional regulations, the officer whose solution to institutional discipline is "throw them in the hole", examine his own conscience. How well does he grasp his own job ? How effective is he in disposing of problems that develop within the area of his jurisdiction ? What has he done to improve the morale or the behaviour of the inmates he has supervised ? What does he know about the full program of the institution and its effects on inmates ? How well does he understand the problems and motives of inmates ? In my experience I have found that many, perhaps most, of our trained officers have a good broad grasp of the problems. Their attitude is typified by the officer who can manage any group of inmates without resorting to the writing of offence reports. Perhaps it is too much to expect that all officers can accomplish this, but all officers can follow the principle involved by looking behind the behaviour symptoms of the inmate, trying to get at his quirks and to develop the ability, through leadership and counselling to assist him to make a more adequate adjustment. Enforcement of discipline is the basis of all training. Inmates should be under control at all times. without discipline, chaotic conditions would prevail, But that does not imply helplessness and total abnegation of the mind--true discipline springs from self-control, a mutual understanding between officer and inmate of what is needed on both sides to establish and maintain a relationship that allows for the fullest flow of ideas, the highest achievement of purpose, combined with consideration for the rights and feeling of all, Gentlemen, without self control and self respect, the future holds little for the men who have been placed in your care, and prison disturbances will continue.

cont:

One key to successful treatment is small well run institutions, allowing better classification, permitting members of the staff to be more effective in dealing with each individual. Effective treatment takes time, and requires a program suited to the needs of the man. After many years of observation I have found that there is a lack of attention to the mental capacities of the persons sent to our prisons, 24% of any inmate population is of border line intelligence, and 33% of dull normal mental level, it would seem the main reason for their presence is the handicap of dullness. They are handicaped in dealing with people and the law, they make a poor impression when seeking employment, and in conflict with the law, make a poor defence. Lacking alertness and skill in explaining and defending themselves they become known to the police and are repeatedly picked up and convicted. The problem then is the failure of our institutions to provide educational and proper training facilities for this type of inmate, the slow moving and learning group. To a large extent they become the failures and the cast offs of our penal system, lacking basic education, their efforts to obtain employment dulled by discouragement. Training for this type of inmate will cost money boyh for establishment and operation but financially and socially it will make one of the best investments we could have in equipping this group of offenders for a normal life. All this is well set up in the " Archambault Report" but this important document appears to have been overlooked or has escaped the attention of many law enforcement officers.

How can I convince you that the practice of penology is a real professional job and you must have clearly in your minds the principles upon which your profession is based, you must be able to convince the public, who pay the shot that those principles represent a practical and worthwhile approach to the matter of dealing with crime, and have a reasonable chance of success, since it is we the public who in the final analysis provide the funds to carry on your work and who must be convinced that the moneys expended for the maintenance and development of a sound correctional programe are producing results. Gentlemen, if the prison problems of the world are to be solved it will be by those who have given their lives to their solution; by the students and professors, the Wardens and administrators, the physicians, psychiatrists and social workers, the officers who have met the prisoners face to face. It will not be solved by the political representatives of the countries unless they confer with and follow the suggestions of those who have given their lives to the most baffling and difficult department of civil administration, namely prison administration. And no political consideration should be permitted to interfere with the most thorough going working out of international cooperation in the field of penology.

In closing I would like to dwell on the prison psychopath, moody and unpredictable, completely anti social, breaking rules and regulations, making weapons, deliberately destroying property, inciting other prisoners to riot and mutiny, refusing to work, hating everything and everybody, This type must be removed from the general inmate population. They have a disturbing influence on the other prisoners who look upon them as big shots, big wheels, and their arrogance and distain of authority are extolled so younger prisoners seek to emulate them in the hope they will achieve similiar greatness. Removed the institution functions more smoothly, thus reducing the risk of contamination within the prison to a minimum. Failing in this prison authorities can anticipate more and more prison disturbances and riots, and society will continue to pay for crime to the merry tune of several millions of dollars each suceeding year.

A.E. Steel. 
Lt, Asst Deputy Warden.
Stony Mountain, Man.



MEMORANDUM

CLASSIFICATION

FOR
A

Mr. J. R. Cameron,
Acting Executive Assistant

YOUR FILE No.
Votre dossier

OUR FILE No. 121 (1)
Notre dossier

FROM
De

Commissioner of Penitentiaries

DATE May 5, 1971.

FOLD

SUBJECT
Sujet

Prison Riots

1. This is in reference to your memorandum of April 27, 1971.
2. Attached is a letter of reply to Mr. A.E. Steel for the signature of the Minister.

Chief, Secretariat,
for Commissioner.

6242 (410)

OTTAWA KIA OPS
April 30, 1971

Dear Miss Green

Your letter of April 15, 1971 to the Prime Minister concerning an offer to sit as a member of the Committee to investigate the grievances of inmates at Kingston Penitentiary has been passed to me for attention and reply.

I appreciate your action in this respect, however, the members of the Board of Inquiry have previously been chosen and appointed to investigate all aspects of the disturbance at Kingston Penitentiary, April 14 - 18.

Your letter is being placed on file in my office and in addition I am taking the liberty of passing a copy of it, and the material attached thereto, to the Commissioner of Penitentiaries for the attention of his Chief of Classification and Psychological Services.

Thank you for writing.

Yours very truly

Original Signed by
JEAN - PIERRE GOYER

Jean-Pierre Goyer

BMKAINE/cm

Miss Sylvia Green
117 - 2460 Benny Crescent
MONTREAL 261, P.Q.

DISTRIBUTION:

Minister's Office:	Original and 2 copies ✓✓
D/Minister:	1 cppy
Commissioner:	1 copy
	Floater
	File
Secretariat:	2 copies
	Shannon

BF 4 May 71
cy

MEMORANDUM
GOVERNMENT OF CANADA



NOTE DE SERVICE
GOUVERNEMENT DU CANADA

FROM
DE

ACTING EXECUTIVE ASSISTANT

TO
À

MR. PAUL FAGUY
COMMISSIONER OF PENITENTIARIES

SUBJECT
SUJET

Offer to Sit On Committee of
Investigation - Miss Sylvia Green

OUR FILE - N/RÉFÉRENCE	
YOUR FILE - V/RÉFÉRENCE 12-5-4	
DATE April 27, 1971	
REFER REPLY TO ENVOYER LA RÉPONSE À	TEL. NO. TÉL.

The attached copy of correspondence is forward
for the preparation of a reply for the Solicitor General's
signature with copy to the Office of the Prime Minister
for information.

J.R. Cameron

Referred by direction of the Prime Minister
Transmis à la demande du Premier ministre

To the ~~Minister of~~ Solicitor General,
Au ministre d Attn: Mr. John Cameron,
Administrative Assistant.

For: ☐ information ☐ further reply*
Pour: à titre de renseignement réponse ultérieure

☐ consideration ☐ necessary action*
attention y donner suite

☐ consideration and further reply at your discretion
attention et réponse ultérieure si vous le jugez à propos

NOTE: For consideration and further reply,
please.

April 21, 1971.

HAL.
Henry Alan Lawless,
Correspondence Secretary.

* May we please have a copy of your further correspondence.
Veuillez s.v.p. nous faire parvenir copie de votre lettre.

000197

1110-063
COPY
COPIE



OFFICE OF THE PRIME MINISTER • CABINET DU PREMIER MINISTRE

O t t a w a,
K1A OA2,
April 21, 1971.

Miss Sylvia Green,
2460 Benny Crescent,
Apartment 117,
Montreal 261, Quebec.

Dear Miss Green:

On behalf of the Prime Minister,
I wish to acknowledge and thank you for your
letter of April 15.

Your communication has been
referred to the Office of the Solicitor
General for consideration.

Yours sincerely,

ORIGINAL SIGNED BY
ORIGINAL SIGNÉ PAR
HENRY ALAIN LAWLESS

Henry Alan Lawless,
Correspondence Secretary.

cc: Solicitor General,
Attn: Mr. John Cameron,
Administrative Assistant.
- for consideration and further reply, please.
- Mr. Francis Fox (PMO),
- for information.

1110 063

117-2460 Benny Cres.,
Montreal 261.

April 15th, 1971

RECEIVED
OFFICE OF THE
SOLICITOR GENERAL
APR 21 1971

Mr. Pierre E. Trudeau,
Prime Minister,
Parliament Hill,
Ottawa, Ontario.

Dear Mr. Trudeau:

I would be most willing to sit on a committee to investigate the grievances of the inmates of Kingston penitentiary.

I do not know if I would be considered a "prominent Canadian", but am enclosing a clipping that gives a little of my history -- Exco, etc. I am a member of the Canadian Psychological Association, and I am presently Creative Learning Specialist at the Montreal Oral School for The Deaf.

I am 31 years of age, and have been in the teaching profession most of my career.

Thank you for your interest.

Sincerely,

Sylvia Green

Sylvia Green.

Clipping passed to
Penitentiary Service

MINISTER OF NATIONAL DEFENCE

RECEIVED
OFFICE OF THE
SOLICITOR GENERAL



CANADA

MAY 3 9 27 AM '71

MINISTRE DE LA DÉFENSE NATIONALE

Ottawa, Ontario
K1A 0K2

April 28, 1971

The Honourable Jean-Pierre Goyer,
P.C., M.P.,
Solicitor General,
Ottawa, Ontario
K1A 0P8

My dear Colleague:

Thank you for your letter of April 22nd concerning Canadian Armed Forces' participation in the recent disturbance at Kingston Penitentiary.

It was very good of you to write and I shall be pleased to pass on your kind remarks to the appropriate officials of the Department.

Yours sincerely,

Don Macdonald

Donald S. Macdonald

MEMORANDUM
GOVERNMENT OF CANADA



NOTE DE SERVICE
GOUVERNEMENT DU CANADA

RECEIVED
OFFICE OF THE
GENERAL
APR 30 2 29 PM '71

30 APR 71

FROM
DE
COMMISSIONER OF PENITENTIARIES.

TO
À
MR. JOHN CAMERON,
ACTING EXECUTIVE ASSISTANT.

SUBJECT
SUJET
COMPLAINT OF CANADIAN PRESS AT EXCLUSION
FROM NEWS CONFERENCE - APRIL 15, 1971.

OUR FILE - N/RÉFÉRENCE	
1111 (1)	
YOUR FILE - V/RÉFÉRENCE	
DATE	
April 30, 1971.	
REFER REPLY TO ENVOYER LA RÉPONSE À	TEL. NO. TÉL.

Attached is a copy of a letter that was addressed to all Regional Directors and Institutional Heads on this subject and a letter addressed to the Chief of Bureau of the Canadian Press on the above-mentioned subject.

GS/tm

Att.

G. Surprenant
G. Surprenant,
Chief, Secretariat,
for Commissioner.

CANADIAN PENITENTIARY SERVICE



SERVICE PENITENTIAIRE CANADIEN

OTTAWA 4, ONT.

K1A 0P9

REGIONAL DIRECTORS

INSTITUTIONAL HEADS


PLEASE QUOTE REFERENCE: 1111 (1)
VEUILLEZ MENTIONNER:

April 21, 1971.

NEWS CONFERENCES

1. Because of an unfortunate error the representative of the Canadian Press was excluded from a recent press conference at Kingston. The Canadian Press has raised the question with the Commissioner.
2. The Canadian Press is a co-operative news agency owned by, and servicing, the daily newspapers of Canada. Through subsidiaries, it delivers news to the CBC and to the country's privately-owned broadcasting stations.
3. The Commissioner wishes that the Canadian Press representative be automatically included in all news coverage situations when circumstances dictate a limit on the number who can attend.

GS/tm


G. Surprenant,
Chief, Secretariat,
for Commissioner.

CANADIAN PENITENTIARY SERVICE



CANADA

SERVICE PENITENTIAIRE CANADIEN

OTTAWA 4, ONT.
K1A 0P9

Mr. F. MacDougall,
Chief of Bureau,
Canadian Press,
Box 595,
OTTAWA 4, Ontario.

PLEASE QUOTE REFERENCE: 1111 (1)
VEUILLEZ MENTIONNER:

April 29, 1971.

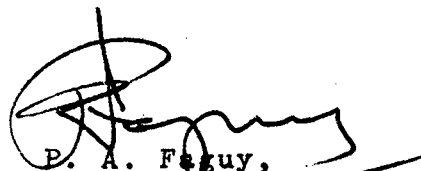
Dear Mr. MacDougall:

I wish to thank you for your letter of April 15, 1971 on the subject of the exclusion of your representative from the news conference with inmates in Kingston Penitentiary on April 15, 1971.

Following my statement to your Mr. MacKenzie and as a result of your communication, all Penitentiary Service Regional Headquarters and Institutions have been requested to automatically include your agency representative in all news coverage situations when circumstances dictate a limit on the number who can attend.

May I take this opportunity to assure you of my continued co-operation.

Yours very truly,


P. A. Faguy,
Commissioner.

BF 4/1/71
G.

MEMORANDUM
GOVERNMENT OF CANADA



NOTE DE SERVICE
GOUVERNEMENT DU CANADA

FROM
DE

ACTING EXECUTIVE ASSISTANT

TO
À

MR. PAUL FAGUY
COMMISSIONER OF PENITENTIARIES

SUBJECT
Sujet

Complaining of Canadian Press at Exclusion
from News Conference - April 15, 1971

OUR FILE - N/RÉFÉRENCE	
YOUR FILE - V/RÉFÉRENCE 12-5-4	
DATE April 27, 1971	
REFER REPLY TO ENVOYER LA RÉPONSE À	TEL. NO. TÉL.

Reference is to the letter dated April 15, 1971 from the Canadian Press to the Commissioner of Penitentiaries with copy to the Solicitor General (copy attached for ease of reference).

I have been requested to ask that a copy of your letter of reply to the Canadian Press be forwarded for the information of the Solicitor General.

J.R. Cameron

THE CANADIAN PRESS

FRASER MacDOUGALL
CHIEF OF BUREAU
SUPERVISING PARLIAMENTARY SERVICE

April 15, 1971.

BOX 595
OTTAWA, ONT.
RECEIVED
KLP 5P7
APR 16 8 54 AM '71
SOLICITOR GENERAL

Hon. J.-P. Goyer
Solicitor General of Canada
Parliament Buildings
Ottawa.

Dear Mr. Goyer:

Enclosed copy of a letter to Mr. P. A. Faguy,
commissioner of the Canadian Penitentiaries Service,
is self-explanatory.

We feel strongly that exclusion of a Canadian
Press reporter from a news conference attended by
several others was unwarranted.

With kind regards,

Sincerely yours,

Fraser MacDougall

Chief of Bureau.

FM/D
Encl.

April 15, 1971.

KLP 5P7

Mr. P. A. Faguy
Commissioner
Canadian Penitentiaries Service
Sir Wilfrid Laurier Building
340 Laurier Ave. West
Ottawa.

Dear Mr. Faguy:

Further to Arch MacKenzie's phone talk with you today, this is to lodge a formal protest against the decision to exclude The Canadian Press from the news conference with inmates in Kingston Penitentiary today in connection with disturbances there.

We welcome your statement to Mr. MacKenzie that the CP staffer on the scene should have been admitted as a matter of course. However, we feel this written protest may serve a useful purpose in future.

As you know, The Canadian Press is a co-operative news agency owned by the daily newspapers of Canada. Through subsidiaries it delivers news to the CBC and to the country's privately-owned broadcasting stations.

Within government, it is accepted practice to give CP an automatic position in all news coverage situations where circumstances dictate a limit on the number who can attend.

I do hope that you will take steps to advise local officials so that any situation similar to today's may not develop again.

With kind regards,

Sincerely yours,

FM/D
cc: Hon. J.-P. Goyer
Solicitor General of Canada.

Chief of Bureau.



TO
A

MEMORANDUM

CLASSIFICATION

6
5 May 71

SOLICITOR GENERAL.

YOUR FILE No.
Votre dossier

Attention: Executive Assistant.

OUR FILE No. 185/12 (1)
Notre dossier

FROM
De

Commissioner of Penitentiaries.

DATE April 26, 1971.

FOLD

SUBJECT
Sujet

Herewith a draft of a reply to the letter from the Public Service Alliance of Canada dated April 22, 1971, concerning the officers who were held hostage in the recent incident at Kingston Penitentiary.

J. R. Stone
J. R. Stone,
Deputy Commissioner,
for Commissioner.

Att.
JRS/SR

*Held: Mr. Laguy is producing
another draft
6/4 May 71*

*Mr. Laguy's letter passed to Minister for signature
6/10 May 71*

D R A F T

185/12

Mr. Paul Gascon,
Public Service Alliance of Canada.

April 26, 1971.

Dear Mr. Gascon:

I acknowledge receipt of your letter dated _____ suggesting that the penitentiary officers who were held as hostages in the recent incident at Kingston Penitentiary be awarded an ex-gratia payment of \$5,000.00 as well as thirty days paid holidays.

As you may be aware, the officers concerned will be treated as if they had been performing their normal duties during the total period of their detention at the appropriate overtime rates. In addition, they are, of course, entitled to sick leave if necessary for the purpose of recovering from this unfortunate ordeal.

I am sure you are aware that in classifying these jobs, the working conditions and the hazards encountered in the performance of these duties are given full recognition by the Classification Standards. In addition, the rates of pay agreed upon during the last round of negotiations took into account the environment and hazards that are inherent in penitentiary work. While we all deplore this recent incident and have nothing but admiration for the manner in which the officers concerned stood up under it, it is nevertheless recognized by all that the risk of assault with all that that implies is a continuing condition of employment. Consequently, I can see no justification for acceding to your request.

Yours truly,

SOL GEN

Document disclosed under the Access to Information Act
Document divulgué en vertu de la Loi sur l'accès à l'information

APR 27 11 14 A '71

FILE
DOSSIER

28 Apr 71

CANADIAN NATIONAL • CANADIAN PACIFIC

TELECOMMUNICATIONS

CANADIAN NATIONAL • CANADIEN PACIFIQUE

① Telephone office & advise of message
② Deliver by hand to S/G office (Cameron)
Due P.
29481
10 am
of 28/71
1971 APR 28 AM 9 43

① QJE264

QJE265(280832)

CN FF126 CNT LONDON ONT 28 931A EDT

HON MR TURNER MINISTER OF JUSTICE

PARLIAMENT BLDGS OTTAWA ONT

RE NBR3125 INJURED IN KINGSTON PEN RIOT

MAY I BE ASSURED HIS PERSONAL SAFETY IS CONFIRMED RE SUBSEQUENT INVESTIGATION

SIGNED A MERLINO (MOTHER)

193 BOULLEE STREET LONDON ONTARIO

NBR3125 195.

RECEIVED
OFFICE OF THE
SOLICITOR GENERAL
APR 28 4 25 PM '71

② Original passed to Surprenant, Canadian Penitentiary Service for reply

28/630 Apr 71

CANADA

Ministère du Soliciteur-
Général

Department of the
Solicitor-General

TO: SOLICITOR-GENERAL
AU: SOLLICITEUR-GÉNÉRAL

26/iv/71

☐ POUR AUTORISATION
FOR APPROVAL

☐ FOR SIGNATURE
POUR

☒ POUR INFORMATION
FOR

☐ FOR DIRECTION
POUR DIRECTIVE

☐ SUR SA DEMANDE
AS REQUESTED

☐ TO NOTE AND RETURN
PRENDRE NOTE ET
RENOYER

DICTATED BY E.A. Côté
DICTÉ PAR

Apr 23/71
DATE

DACTYLOGRAPHIÉ PAR
TYPED BY

R.O. Prescott

DATE

[Handwritten signature]

000211

seen
1. R. S.

APR 23 2 30 PM '71

PA
27 Apr 71

FILE

DEPUTY SOLICITOR GENERAL

April 23, 1971

Kingston Disturbance

Mr. Arthur Martin, Q.C. phoned me at 1455 hours on April 23rd (his phone number is Toronto - 368-6241) saying that he was meeting with the four other members of the Committee. Apparently Professor Morton had informed him that McCaud and Knight had been beaten up by the guards. I wondered how this occurred. He said Professor Morton had found this out. He thought that there was a personal commitment on the part of the Committee to go back to see the inmates. He felt strongly that he and his group should go to Millhaven tomorrow and he wondered whether we could provide an R.C.M. Police car for this purpose.

I replied to Mr. Martin that when the Citizens' Committee was formed, he and I had both agreed that its terms of reference were to hear what the inmates had to say and to report back to the Solicitor General. This had been done and Mr. Martin personally had been asked to undertake a task of some delicacy, namely to go back to the inmates and intimate to them that it was most unlikely that the Government would accede to their demands for immunity. This Mr. Martin had done with considerable tact and other members of the Committee decided to in fact "negotiate" with the Inmates' Committee. The job of his Committee done in this fashion was most helpful in the circumstances but I did not think that Mr. Martin or his colleagues would consider that they were a continuing "Ombudsman Committee" for the settlement of the issues which were brought up by the disturbances.

Mr. Martin agreed that this was not their role. However, he and his colleagues felt that they gave a personal commitment to the inmates that they would not be harmed and he thought that if some had been injured they should go back and see the inmates.

I was able to point out to Mr. Martin that the Board of Inquiry had been announced this morning by the Solicitor General in the House of Commons. I gave him the composition of the Commission and he thought it was excellent. I also said that this Commission of Inquiry was on the ground at Kingston and would doubtless be calling upon the members of the former Citizens' Committee to give evidence before it. I said that I thought it would be important for me to speak to the Minister. Mr. Martin agreed.

- 2 -

In the conversation it appeared that Professor Morton wanted to see McCaud as "his lawyer". I asked Mr. Martin if Professor Morton had been admitted to the Bar. He said he was a "Q.C." and was admitted to the Bar.

I was able to finally reach the Minister, after discussion with Commissioner Faguy and Deputy Commissioner Stone. They were all agreed that the ex-Citizens' Committee should not be allowed to go to Kingston or Millhaven. The Minister did not think that Mr. Swackhamer should be informed of this nor that I should mention to Mr. Martin that any incident involving McCaud and Knight had occurred.

I was able to reach Mr. Martin again at 1620 hours and said that after conversation with the Minister, and in view of the terms of reference of the Commission of Inquiry (which I outlined quickly over the phone) it would appear that all matters related to the disturbances were now as it were sub judice. Under these circumstances I could not see that as a sort of "Ombudsman Committee" it could do anything to detract from the activities of the Commission of Inquiry.

Mr. Martin said that he felt that the Committee had given an implied commitment to the Inmates' Committee. There was a very real fear by the inmates that they would be shot. The Citizens' Committee had given a commitment that they would be safely gotten out of the Kingston cell blocks and those who wanted to would be transferred to Millhaven without harm. He thought that this had been done correctly. However, they had learned specific details that one inmate had been beaten yesterday and down to the specific number of stitches he had had. I said that this was the sort of matter (if it had happened) that would be looked into by the Commission of Inquiry. However, the Citizens' Committee undertaking surely was only until after the completion of the transfer and it could not deal with events yesterday, the day before, a week hence or a month hence. With this Mr. Martin agreed. I said to him that I thought that really, in essence, the Commission of Inquiry had all matters related to the disturbances sub judice and that for all practical purposes the Citizens' Committee was functis officio.

Mr. Martin agreed and said he would drop the matter for now but reserved the right to come back to me. I said he was free to do so at any time.

At 1655 hours Mr. Martin phoned me again. He said that if he understood it correctly, the Solicitor General's view was that the Citizens' Committee visit now to Millhaven would be an "invasion of the investigatory function". I repeated that I thought the whole matter, including any incidents such as were alleged, would be sub judice to the Commission of Inquiry. He wondered what would happen if the Committee appeared at Millhaven

- 3 -

tomorrow. Would the Warden turn them back? I said that the view was that the Committee was functis officio. Mr. Martin asked if he could have Professor Morton speak to me and I agreed.

Professor Morton said he had been retained by Mr. McCaud who had been beaten up and he wondered whether if he went to Millhaven tomorrow he would be admitted. I asked him if he had been so informed by the Penitentiary Service that he had been retained. He said no. I said that it was important for Mr. McCaud to make this known. In that case he said if he went alone to Millhaven would he be turned back. I said that if Mr. McCaud had not intimated in the usual way that Professor Morton was his lawyer, he would not be allowed in. He then said he would take out a Writ of Mandamus on Monday. I replied with vigour that this was the first time in the two or three conversations I had had with Mr. Martin that there was any discussion about Professor Morton attending Millhaven in the capacity as Mr. McCaud's lawyer. All the discussion had centred on the "Committee of Citizens" seeing McCaud and Knight and the inmates: no discussion whatsoever had taken place about one of them, in his quality as a lawyer, attending a penitentiary to see an inmate! Mr. McCaud from past experience knew full well that if he wishes to have a lawyer he should make the request in writing. Professor Morton then said Mr. McCaud was in no position to do so. I said that if Mr. McCaud wanted Professor Morton as his lawyer and so signified in writing (for which the means would be made available if requested by Mr. McCaud) Professor Morton would be admitted.

We ended on a friendly tone but it was clear that Professor Morton (and maybe some of his associates) are trying to develop more chapters for Ron Haggart's and Aubrey Golden's "book" on the disturbances at Kingston!

I informed Commissioner Faguy and he said he would phone Mr. Moloney because as I intimated to the Commissioner this was the person that Professor Morton was trying to reach now. The Commissioner said he would instruct Mr. Moloney carefully.

E. A. CÔTÉ

E. A. Côté

c.c. for the information of:

Solicitor General ✓
Commissioner of Penitentiaries
Regional Director (thru' C.P.S.)
Mr. J. H. Hollies, Q.C.



CANADA DEPARTMENT OF LABOUR
FINANCIAL AND MANAGEMENT SERVICES BRANCH

TELEX-TELEGRAM MESSAGE
DELIVER IN THREE COPIES TO ROOM 808

CREDIT CARD NO. IF APPLICABLE

FOR TELEX USE ONLY

TELEX DIAL CODE

VIA

MESSAGE NO.

12

N.P.B. TFC VIA CN, TELEX OR CN TELTEX ONLY

TO (NAME OF PERSON AND OR TITLE)

The Warden's Office,
Attention: Syd Roberts

ADDRESS

Kingston Penitentiary,
P.O. BOX 22,
KINGSTON, Ontario.

TEXT

(CAPITAL LETTERS AND DOUBLE SPACING)

SYD:

THIS CAN BE RELEASED AT 2:30 P.M. TODAY SUBJECT
TO YOUR CONFIRMATION BY PHONE 2-0319 THAT MINISTER MADE
STATEMENT IN HOUSE. IF NOT MADE IN HOUSE WILL BE MADE AT PRESS
CONFERENCE AT 3:15 P.M.

FROM Douglas Parkinson,

SIGNATURE

TITLE Information Officer

BRANCH Solicitor General

DATE OF SIGNATURE

April 19, 1971

April 19, 1971

STATEMENT OF SOLICITOR GENERAL
IN THE HOUSE OF COMMONS

On the night of April 14th, inmates of Kingston Penitentiary seized six prison guards as hostages, smashed windows, furniture, the cell locking devices and occupied the cell blocks and the central control area.

As a precautionary measure the Warden of the Kingston Penitentiary requested assistance from the Canadian Armed Forces and troops were subsequently deployed to guard the perimeter of the Penitentiary.

On the morning of April 15th, the Warden, his deputy and the Regional Director of the Penitentiary Service met with a Committee of three inmates chosen as spokesmen to present grievances. Inmates requested that representatives of the press, radio and television media be permitted to attend and this was authorized.

The grievances expressed by the inmates dealt in general terms with the whole area of police, judicial and correctional systems. Only in three minor areas were complaints made against the Canadian Penitentiary Service itself.

The Inmates' Committee requested that a group of distinguished citizens be asked to hear the views of the inmates. It became clear that the hostages would not be released

- 2 -

until the inmates had had an opportunity to meet with such a group.

A committee of five citizens was subsequently formed under the chairmanship of Mr. Arthur Martin, Q.C., consisting of Mr. Ron Haggart, Dr. Desmond Morton, Mr. William Donkin and Mr. Aubrey Golden, Q.C. This Committee was given a mandate to hear the views of the inmates and to report to the Solicitor General.

This committee of citizens met with the Inmates' Committee throughout the night of April 16 and I received a report early on April 17.

Of the number of requests reported to me by the Citizens' Committee, the most significant was that the hostages would be released if it were guaranteed that no criminal or disciplinary charges were laid as a result of the disturbance and the seizure of the cell blocks. The Inmates' Committee was informed that the Government would be unlikely to discuss any matter as long as hostages were held by the inmates.

During the early afternoon of April 16, one of the hostages was released apparently unharmed and in good health. After a series of discussions between the Inmates' Committee and the Citizens' Committee which went on sporadically during the 17th of April, no agreement could be obtained from the total inmate population as to what they wanted to request of the Government.

. . . 3

000217

- 3 -

The cell blocks and central control area had been occupied by about 500 of the 641 inmates at Kingston. No disturbances occurred at the Psychiatric Wing, at the Hospital or in the Dissociation Area which had remained under the Warden's control. However, very early in the morning of Sunday April 18, there were outward visible signs that internal control among the 500 inmates was deteriorating rapidly. There was apparently some sporadic fighting among these inmates.

As a result, I decided to go to Kingston Penitentiary. After consultation with the Penitentiary authorities on the spot, I authorized that a plan be put into effect permitting those inmates in the cell blocks who wished to do so to come out with hostages. Shortly after daylight, some 200 inmates were allowed into the courtyard and at about 7 o'clock movements of inmates to other institutions began. These movements continued throughout the day and the hostages were released gradually.

I know that Members of this House and all Canadians were greatly relieved when the last hostage was released apparently unharmed and in good health at about 5.00 p.m. on April 18, 1971.

Unfortunately one inmate was killed and a number of others were injured by other inmates while they were in control of the cell blocks. We have notified their families.

I would like to make it clear that there was no use of force at any time by penitentiary guards or the Canadian Armed Forces.

. . . 4

- 4 -

The whole question of improvement of penitentiary services and methods of rehabilitation presents both short term and long term problems which involve not only the Government, the Penitentiary Service and the inmates, but also the Canadian Public. In addition to the on-going programmes of the Department which the Committee on Justice and Legal Affairs now has an opportunity to examine, I decided two weeks before the recent events in Kingston to appoint a Working Group composed of outside and departmental sources to look into the Canadian Penitentiary Service rehabilitation approach for maximum security institutions and to recommend the type of new programmes and facilities that should be developed. These appointments will be announced shortly and I will ask that a report be made to me in six months.

So far as Kingston Penitentiary is concerned, a decision had been made many months ago to phase it out by September 1971. This plan was already under way with the transfer from Kingston of a number of inmates to the new institution at Millhaven before the recent disturbance.

Inmates of our correctional institutions remain members of our society though temporarily segregated. Programmes which meet the needs of this group in society must be based on the acceptance of the principle that chances of rehabilitation are enhanced if inmates are given an opportunity to socialize, work and participate in activities under conditions as close as possible to what is found in normal society.

. . . 5

- 5 -

The Government intends to pursue an increasingly progressive penitentiary programme but this can only be done in an orderly manner. The speed at which changes can be made depends jointly on the co-operation of inmates with the Department and on public understanding and support.

With regard to the events at Kingston Penitentiary, I have directed that a Board of Inquiry be established to review the events, to assess responsibility and to report to me.

On behalf of the Government and on my own behalf, I would like to express sincere thanks to Mr. Arthur Martin, Mr. Ron Haggart and to the members of the Committee for the very important role they played in helping to bring about a solution at Kingston. I should underline the valued co-operation of the Canadian Armed Forces and the police forces at the municipal, provincial and federal level. In concluding, I should like to express my personal thanks to several Honourable Members for offering to assist in any way they could.

12-5-4

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file

The Toronto Telegram
Toronto 135, Ontario, Canada

RECEIVED
OFFICE OF THE
SOLICITOR GENERAL
APR 26 9 38 AM '71

April 21, 1971

Mr. Jean Pierre Goyer, MP
Solicitor-General
House of Commons
Ottawa, Ontario

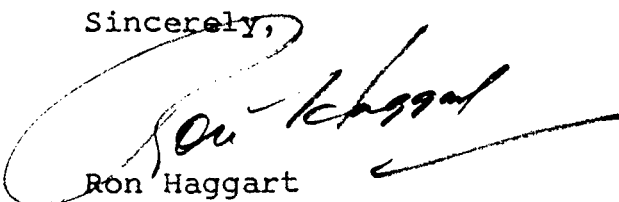
Dear Mr. Goyer:

I was most grateful for the kindness of your reference to me in the House the other day and I was particularly moved by your insight and understanding in personally assuring that I could see Barry MacKenzie before he left the penitentiary.

Among the impressions which remain with me after the experience at Kingston is my profound admiration for the competence and resolve of the penitentiary and departmental officials with whom our "citizens committee" came in contact.

I am sure that all of us came away from that experience in the penitentiary, certainly I did, even more convinced than before of the urgent necessity for, as you so succinctly put it, a liberal system with all the risks of a liberal system.

Sincerely,


Ron Haggart

RH:bh

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C
The Toronto Telegram
Toronto 135, Ontario, Canada

RECEIVED
OFFICE OF THE
SOLICITOR GENERAL
APR 26 9 38 AM '71

PA
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27 Apr 71

April 21, 1971

Mr. Jean Pierre Goyer, MP
Solicitor-General
House of Commons
Ottawa, Ontario

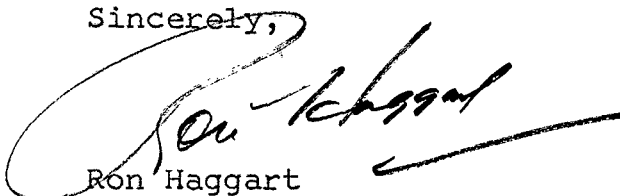
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Sincerely,


Ron Haggart

RH:bh

Copy passed to
Commission of Penitentiaries
le
30 Apr 71

**DEPARTMENT OF THE SOLICITOR GENERAL
MINISTÈRE DU SOLICITEUR GÉNÉRAL**

MEMORANDUM

s.19(1)

Mr. Goyer

This man is single, his mother is deceased. His father is believed to be in St. Mary's of the Lake Hospital for the chronically ill.

S.J.D.



CANADA DEPARTMENT OF LABOUR
FINANCIAL AND MANAGEMENT SERVICES BRANCH

TELEX-TELEGRAM MESSAGE
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VIA

N.P.B. TFC VIA CN, TELEX OR CN TELTEX ONLY

MESSAGE NO.

6

TO (NAME OF PERSON AND OR TITLE)

ADDRESS

TEXT (CAPITAL LETTERS AND DOUBLE SPACING)

I WISH TO EXPRESS MY DEEPEST REGRET OVER THE PRESENT
SITUATION AT KINGSTON PENITENTIARY AND I READILY UNDERSTAND
YOUR CONCERN. I CAN ASSURE YOU THAT EVERY POSSIBLE ACTION
IS BEING TAKEN TO EFFECT THE RELEASE OF YOUR HUSBAND
UNHARMED.

FROM

Jean-Pierre Goyer

SIGNATURE

TITLE

Solicitor General

BRANCH

DATE OF SIGNATURE

April 16, 1971

000224



CANADA DEPARTMENT OF LABOUR
FINANCIAL AND MANAGEMENT SERVICES BRANCH

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MESSAGE NO.

3

N.P.B. TFC VIA CN, TELEX OR CN TELTEX ONLY

TO (NAME OF PERSON AND OR TITLE)

Mrs. T.W. Decker,
11 Manitou Crescent,
Amherstview, Ontario.

ADDRESS

TEXT

(CAPITAL LETTERS AND DOUBLE SPACING)

I WISH TO EXPRESS MY DEEPEST REGRET OVER THE PRESENT
SITUATION AT KINGSTON PENITENTIARY AND I READILY UNDERSTAND
YOUR CONCERN. I CAN ASSURE YOU THAT EVERY POSSIBLE ACTION
IS BEING TAKEN TO EFFECT THE RELEASE OF YOUR HUSBAND
UNHARMED.

FROM Jean-Pierre Goyer

SIGNATURE

TITLE Solicitor General

BRANCH

DATE OF SIGNATURE

April 16, 1971



CANADA DEPARTMENT OF LABOUR
FINANCIAL AND MANAGEMENT SERVICES BRANCH

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MESSAGE NO.

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N.P.B. TFC VIA CN, TELEX OR CN TELTEX ONLY

TO (NAME OF PERSON AND OR TITLE)

Mrs. J.A.G. Valliere

ADDRESS

P.R. No. 1
Napanee, Ontario.

TEXT

(CAPITAL LETTERS AND DOUBLE SPACING)

I WISH TO EXPRESS MY DEEPEST REGRET OVER THE PRESENT
SITUATION AT KINGSTON PENITENTIARY AND I READILY UNDERSTAND
YOUR CONCERN. I CAN ASSURE YOU THAT EVERY POSSIBLE ACTION
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UNHARMED.

FROM Jean-Pierre Goyer

SIGNATURE

TITLE Solicitor General

BRANCH

DATE OF SIGNATURE

April 16, 1971



CANADA DEPARTMENT OF LABOUR
FINANCIAL AND MANAGEMENT SERVICES BRANCH

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N.P.B. TFC VIA CN, TELEX OR CN TELTEX ONLY

TO (NAME OF PERSON AND OR TITLE)

Mrs. Edward Barrett

ADDRESS

R.F. 3,
Kingston, Ontario

TEXT

(CAPITAL LETTERS AND DOUBLE SPACING)

I WISH TO EXPRESS MY DEEPEST REGRET OVER THE PRESENT
SITUATION AT KINGSTON PENITENTIARY AND I READILY UNDERSTAND
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UNHARMED.

FROM

Jean-Pierre Goyer

SIGNATURE

TITLE

Solicitor General

BRANCH

DATE OF SIGNATURE

April 16, 1971



CANADA DEPARTMENT OF LABOUR
FINANCIAL AND MANAGEMENT SERVICES BRANCH

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MESSAGE NO.

4

N.P.B. TFC VIA CN, TELEX OR CN TELTEX ONLY

TO (NAME OF PERSON AND OR TITLE)

Mrs. D.J. Flynn,

ADDRESS

285 Albert St.,
Kingston, Ontario.

TEXT

(CAPITAL LETTERS AND DOUBLE SPACING)

I WISH TO EXPRESS MY DEEPEST REGRET OVER THE PRESENT
SITUATION AT KINGSTON PENITENTIARY AND I READILY UNDERSTAND
YOUR CONCERN. I CAN ASSURE YOU THAT EVERY POSSIBLE ACTION
IS BEING TAKEN TO EFFECT THE RELEASE OF YOUR HUSBAND
UNHARMED.

FROM

Jean-Pierre Goyer

SIGNATURE

TITLE

Solicitor General

BRANCH

DATE OF SIGNATURE

April 16, 1971



CANADA DEPARTMENT OF LABOUR
FINANCIAL AND MANAGEMENT SERVICES BRANCH

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TELEX DIAL CODE

VIA

MESSAGE NO.

2

N.P.B. TFC VIA CN, TELEX OR CN TELTEX ONLY

TO (NAME OF PERSON AND OR TITLE)

Mrs. K.G. Bushell,

ADDRESS

216 York St.,
Kingston, Ontario.

TEXT

(CAPITAL LETTERS AND DOUBLE SPACING)

I WISH TO EXPRESS MY DEEPEST REGRET OVER THE PRESENT
SITUATION AT KINGSTON PENITENTIARY AND I READILY UNDERSTAND
YOUR CONCERN. I CAN ASSURE YOU THAT EVERY POSSIBLE ACTION
IS BEING TAKEN TO EFFECT THE RELEASE OF YOUR HUSBAND
UNHARMED.

FROM

Jean-Pierre Goyer

SIGNATURE

TITLE

Solicitor General

BRANCH

DATE OF SIGNATURE

April 16, 1971

DEPARTMENT OF THE SOLICITOR GENERAL
MINISTÈRE DU SOLICITEUR GÉNÉRAL

MEMORANDUM

For further report
C

Awaiting Board of Inquiry

C
15 Jan 71

Checked 25 Jan 71
C.



MEMORANDUM

CLASSIFICATION *ce*

TO
A

SOLICITOR GENERAL

YOUR FILE No.
Votre dossier

OUR FILE No.
Notre dossier

FROM
De

ADMINISTRATIVE ASSISTANT

DATE Jan. 7, 1971

FOLD

SUBJECT
Sujet

Incident -- Kingston Penitentiary

*Seen by Jim' Lee
ce
57 1930 Jan 7'*

Mr. Faguy reported by telephone at 4:30 p.m. today that three officers at Kingston Penitentiary are being held hostage in the carpenter's shop by, it is believed, two inmates.

No further details are known but Mr. Faguy is keeping in constant touch with Kingston Penitentiary and will keep us informed.

J. R. Cameron
J. R. Cameron

② N.T.R. as of 1830
*ce
7 Jan 71*

③ 1915 hours - Mr Faguy reported the 3 officers are bound but are untied one at a time for a smoke - lives not apparently threatened.

Of the two inmates - one is an Indian serving life for murder (somewhat psychiatric), the other a young negro in for rape and robbery. (The Indian is the leader)

They wanted 1. To bring another Indian inmate into the shop but without releasing hostages. denied.

2. To call Cuban Embassy, This was permitted and they asked for asylum Cuban reply was they were not interested
 3. To call Jordanian Embassy - not known why.
- At present stalemate.

Mr Tagay informed Warden there was to be no bargaining.

cy

SOLICITOR GENERAL

Jan. 7, 1971

ADMINISTRATIVE ASSISTANT

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JOHN R. CAMERON

J.R.CAMERON/sd

J.R. Cameron

c.c. Deputy Solicitor General