

**Responsibilizing Rehabilitation: A Critical Investigation of Correctional  
Programming for Federally Sentenced Women**

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## Abstract

This research offers a critical and comprehensive understanding of the current state of prison programming for federally sentenced women in Canada. Its purpose is to map how women prisoners are assessed and processed in terms of their mental health needs and risks and the correctional programs they are required to participate in as part of their correctional rehabilitation plan. By mobilizing a feminist governmentality theoretical lens, the research examines the gendered, neoliberal, and psy management of women prisoners as it occurs through correctional programming interventions and the discourses that underpin the programs in which the women are required to participate. Methodologically, this research draws on over 11,000 pages of documents from the Correctional Service of Canada, which were obtained through a federal Access to Information and Privacy request, as well as eight in-depth, semi-structured interviews with formerly incarcerated, federally sentenced women. I argue that women's experiences of marginalization and criminalization flow from structural factors that are variously impacted by their intersecting identities and which are subsumed beneath discourses of responsabilization and risk management within the programming documents and largely ignored as a result of the security-focused and risk-centred carceral logics that govern prison life and management.

The analysis revealed that programming documents – including facilitator manuals, staff training guides, participant workbooks, policy guidelines, and administrative documents – discursively constitute women as emotionally out of control, motivated primarily by their relationships, and as cognitively flawed. Through discourses of empowerment and care, and by way of self-monitoring strategies and improved self-esteem, women prisoners are tasked with managing their own mental health needs and risks and choosing a path of prescribed rehabilitation. Placing the onus of change squarely on the individual prisoner effectively sets aside the structural factors and contexts that lie at the root of women's criminalization, which women cannot simply “choose” to change. Despite the Correctional Service of Canada's appearance of women-centredness and gender responsivity, women are subject to control, coercion, and intense responsabilization efforts in and through correctional programming initiatives.

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## **List of Acronyms**

AWEP	Aboriginal Women's Engagement Program
AWOCP	Aboriginal Women Offender Correctional Programs
AWOHIP	Aboriginal Women Offender High Intensity Program
AWOMIP	Aboriginal Women Offender Medium Intensity Program
CBT	Cognitive Behavioural Therapy
CSC	Correctional Service of Canada
DBT	Dialectical Behaviour Therapy
OCI	Office of the Correctional Investigator
OIC	Office of the Information Commissioner
RNR	Risk-Need-Responsivity
SLE	Structured Living Environment
SMP	Self-Management Program
WEP	Women's Engagement Program
WOCP	Women Offender Correctional Programs
WOHIP	Women Offender High Intensity Program
WOMIP	Women Offender Medium Intensity Program

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## CHAPTER 1 – Introduction

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Women are the fastest growing prison population in the world (Heard, 2017; Kilroy & Pate, 2011), and while we know that most imprisoned people are men, the rate of the imprisonment of women across the globe is rapidly increasing (Heard, 2017; Zinger, 2021). Indeed, the latest statistics in Canada suggest that the number of incarcerated women in federal custody increased 33% over a ten-year period, from 2009 to 2019 (Zinger, 2019). The rate for Indigenous women is far worse – in fact, in the same ten-year period, the rate increased 74% (Zinger, 2019) and Indigenous women currently account for 50% of the overall federal prison population of women in Canada despite only comprising 4% of the Canadian population of women (White, 2022).

Women prisoners are a diverse group who face multiple and compounding challenges; they are more likely than men prisoners to experience mental health concerns, to have experienced violence and abuse, be single parents with young children, have low educational attainment, and high rates of unemployment (Hannah-Moffat, 2010, 2012; Kilty, 2012a, 2014a; Montford & Hannah-Moffat, 2021; Pollack & Kendall, 2005). These experiences are conditioned by their intersecting identities, including their gender expression, race, class, sexual orientation, ability, citizenship status, and ethnicity. The Office of the Correctional Investigator reports that federally sentenced women also experience poor and overcrowded prison conditions, overly securitized settings, poor and lack of access to mental health care, and ineffective programming, despite the number of changes that have been made to CSC policy and practice over the past thirty years (Zinger, 2021).

Thirty-two years ago, the Task Force on Federally Sentenced Women (1990) released their report, *Creating Choices*, which sought to alter the trajectory of women's corrections by integrating feminist principles into a new penal regime for women (Maurutto & Hannah-Moffat, 2016). The report advocated for alternative approaches to corrections that were women-centred, holistic, and non-punitive (Balfour, 2014; Chartrand & Kilty, 2018; Hannah-Moffat, 2010). *Creating Choices* and members of the Task Force called upon the Correctional Service of Canada (CSC) to recognize the multiple and intersecting oppressions and experiences of marginalization with which many women enter the penal system (TFFSW, 1990). However, critics contend that CSC has failed to fully implement the recommendations made in *Creating Choices*. The Office of the Correctional Investigator, for instance, has reported that little has changed for most federally sentenced women in the past thirty years (Zinger, 2021). Feminist scholars have also called attention to the problematic implementation of the governing principles<sup>1</sup> identified in *Creating Choices*, arguing that while CSC may have been well-intentioned, the Service ultimately reconstructed feminist-inspired management logic to fit within their existing security-focused, risk-centred logic (Chartrand & Kilty, 2018; Hannah-Moffat, 2010; Maurutto & Hannah-Moffat, 2016; Pollack, 2009, 2012). Indeed, as Chartrand and Kilty (2018) assert, "a shift in penal discourses and practices, as seen with *Creating Choices*, does not necessarily promote an absence of punitive interventions for women in prison but shifts the modalities by which they are prescribe and legitimated" (p. 111).

Research demonstrates that imprisoned women continue to experience harms that flow from CSC policy and practice; for example, women who self-injure continue to be placed in

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<sup>1</sup> The five governing principles set out in *Creating Choices* are (1) empowerment, (2) meaningful and responsible choices, (3) respect and dignity, (4) supportive environment, and (5) shared responsibility.

administrative segregation units<sup>2</sup> as a way to manage institutional security (Hannah-Moffat, 2010; Kilty, 2006, 2012b, 2014a; LeBlanc, Kilty, & Frigon, 2015); women experiencing mental distress are likely to face an increased use of force, involuntary psychotropic medication, and to be locked in segregation for an indeterminate amount of time all in the name of preserving “institutional security” (Hannah-Moffat, 2010; Hannah-Moffat & Klassen, 2015; Kilty, 2012a, 2014a; Pollack & Kendall, 2005; Prevost & Kilty, 2020); Indigenous women are more likely to be placed in higher security settings, to experience segregation, and to be denied parole (Chartrand, 2015; Sapers, 2016; McGuire & Murdoch, 2021; Prevost & Kilty, 2020); prisoners are frequently (re)traumatized by correctional practices such as random strip searches and other incidents of racial or sexual discrimination (Kilty, 2014a; Pollack & Kendall, 2005; Prevost & Kilty, 2020; Zinger, 2021); and, finally, women are subject to highly gendered employment and programming practices (Bernard et al., 2019; Pollack, 2009; Zinger, 2021).

Scholars have further argued that CSC’s version of gender responsiveness and women-centredness that was implemented following *Creating Choices* is rooted in problematic stereotypes that narrowly define and frame gender according to normative assumptions (Chartrand & Kilty, 2018; Hannah-Moffat, 2001, 2010; Pollack & Kendall, 2005). Gender responsiveness is further called into question when CSC claims to address women’s unique needs and backgrounds (e.g., experiences of violence, abuse, and trauma, as well as precarious employment and mental health concerns, to name a few), yet further punishes women when they do not “take accountability” for their past actions should they cite these as antecedents to their

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<sup>2</sup> In November of 2020, the Supreme Court of Canada ruled that administrative segregation was a form of torture and implemented Bill C-83, *An Act to amend the Corrections and Conditional Release Act and another Act*, 2019, which was intended to end the use of solitary confinement in Canadian prisons. Administrative segregation was replaced with “Structured Intervention Units,” which, critics contend, ultimately serve the same purpose as the policies and practices they replaced. The act of segregating prisoners continues to be widespread in Canadian prisons (Sprott & Doob, 2021).

criminalization during correctional program sessions (Hannah-Moffat, 2001, 2010; Pollack, 2009; Pollack & Kendall, 2005). Indeed, women prisoners are governed through gendered, neoliberal, and psy discourses that constitute them as both risky and at-risk and are subsequently responsabilized both for their criminal transgressions and to “fix” themselves so as to avoid any future contact with the (in)justice system (Hannah-Moffat, 2010; Law, Mario, & Bruckert, 2020; Pollack, 2009). The neoliberal underpinnings that guide CSC programming and correctional policy are evident when examining the risk and security logics that responsabilize women prisoners to manage the impacts of broader systemic challenges, including their experiences of mental distress (Hannah-Moffat, 2001; Kilty, 2012a; Pollack & Kendall, 2005).

As the rate of women’s imprisonment increased, so too have prisoners’ experiences of mental distress. Mental health challenges for women prisoners pose a significant problem in federal penitentiaries and have historically been inadequately addressed by CSC (Zinger, 2018). While CSC is required to abide by its mental health policy (the 2012 *Mental Health Strategy*) and by legislation (the *Corrections and Conditional Release Act of 1992* (s. 86)), including providing mental health services that respond to the diverse backgrounds and needs of prisoners, critics maintain that they have perpetually fallen short of supporting women experiencing acute crises and in terms of addressing more intermediate and ongoing mental health needs (Bernard et al., 2019; Zinger, 2018). In fact, research shows that the most common response to women who are experiencing mental distress is punitive<sup>3</sup> action and control strategies that isolate women in more austere forms of holding – whether in segregation (Dell, Fillmore & Kilty, 2009; Hannah-

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<sup>3</sup> In the context of this research, I conceptualize the term *punitive* to mean an action that is both intended and perceived or experienced as punishment. While policies, practices, mandates, and programs are intended to be therapeutic and rehabilitative, they are commonly experienced as punitive due to the constrained choices, lack of agency, and austere environment in which these actions take place. This conceptualization of punitiveness is supported in the feminist criminological research (see, for example, Dell et al., 2009; Hannah-Moffat & Klassen, 2015; Kilty 2012a, 2014a; Pollack & Kendall, 2005).

Moffat & Klassen, 2015; Kilty, 2006; 2012a, 2014a; Kilty & Dej, 2018; Pollack, 2009; Pollack & Kendall, 2005) or in the new structured intervention units that reflect solitary confinement “under a different name” (Iftene, 2020). It is these troubling circumstances that led me to ask questions about how mental health care is deployed in prisons, particularly through CSC’s correctional intervention model. Accordingly, this research aims to interrogate the ways in which women prisoners are managed, regulated, and discursively constituted in and through the Women Offender Correctional Program matrix.

### **Research Statement & Questions**

I came to this research with a keen interest in how women prisoners’ mental distress is addressed (or, perhaps, not addressed) in the carceral context. I was interested in exploring the discourses surrounding women’s mental health and how these are operationalized in and through correctional programming. To my knowledge, the current CSC program modules have never been the object of scholarly research, which motivated me to mobilize a critical feminist criminological lens to examine the federal correctional program content that has been designed for women prisoners. This positioned me to uncover the ways that power/knowledge creates meaning and effects by producing discourses that become “Truths” in the programming context. Early on in this research project, and as I will discuss further throughout this dissertation, I discovered that CSC does not offer dedicated “mental health programming” for prisoners as part of a general correctional or programming plan. This discovery prompted me to analyze the programming documents for underlying psy discourses and to understand and unpack how they intersect or overlap with gendered and neoliberal discourses. I sought to uncover a comprehensive image of how women prisoners move in and through required programming, how their assessed risks and needs factor into their program pathways, and how these programs seek

to rehabilitate the participants. In order to work through these reflections and quandaries, I set forth the following research statement:

The intention of this project is to map how federally sentenced women are assessed and processed in terms of their mental health needs and risks, the programs they are required to participate in, and how they experience these programs.

This statement was further supplemented by several interrelated subsidiary questions that shaped this research:

- ⇒ How do imprisoned women experience correctional and mental health intervention as administered through CSC's Women Offender Correctional Program Continuum and Circle of Care?
- ⇒ How does programming discursively constitute imprisoned women? What are the discursive strategies used by CSC to constitute women and their state of mental wellbeing?
- ⇒ In what ways does CSC's mandated programming for those who display mental health concerns (re)produce gendered subjects within a neoliberal regime of governance?

To answer these questions I undertook a qualitative, in-depth examination of federal correctional programming documents for women. Additionally, in order to produce a comprehensive map, I conducted a critical discourse analysis of CSC programming documents that I acquired through an access to information request, and which included the following: programming modules for facilitators and elders, participant workbooks, staff training guides, administrative documents, and policy guidelines. This textual data was also supplemented with semi-structured interviews

with eight formerly incarcerated women, which allowed for a well-rounded data set that allowed me to explore the research topic from different angles.

Notably, while the design of this project allowed me to explore the implementation of CSC programming based on official descriptions of and guidelines and policies related to programming, I was unable to examine how the programs, policies, and practices are implemented at the ground level, given the variations among regions across the country as well as in and among the program facilitators themselves. While this is a limitation of the current study, my findings are nevertheless supported by researchers such as Bonnycastle (2012) who did have access to CSC penitentiaries and was able to observe programming as it was practiced on the ground. It is also important to note that this project did not aim to investigate differences between men's and women's programming, and it was beyond the scope of this research to conduct a comparative analysis on potential gender differences in how programming is deployed for men and women prisoners.

### **Avoiding Stigma: The Importance of Language**

It is important to address the significance of attending to and being deliberate with language and terminology to avoid furthering the stigmatization of federally sentenced women. Here, I discuss some of the language I intentionally use and avoid throughout this dissertation. This research is grounded in critical scholarship and is conducted from a critical feminist criminological lens; for this reason, I have chosen to take up critical and abolitionist terminology to avoid language that stigmatizes particular individuals or groups of people. I aim to interrogate the dominant CSC discourse of framing incarcerated people in ways that further dominate and control them (Maidment, 2006). It is also a way of challenging power structures and the ongoing criminalization and marginalization of women who are imprisoned (Cox, 2020). As Maidment

(2006) asserts, “the neoliberal climate is ever-increasingly more punitive, individualizing, and pathologizing of women and language is a central diversionary tactic in promulgating such ideologies” (p. 37). Accordingly, in an effort to avoid the harmful and stigmatizing labels that individualize and pathologize women in prison, I recognize the significance of attending to power and the meaning making influence of language.

There are myriad terminologies by which imprisoned people are referred in both academic scholarship and in common, everyday language – offender, inmate, convict, perpetrator, prisoner, criminal, and people in conflict with the law (Maidment, 2006). Given that “the very condition of imprisonment is one that suggests a relationship of interaction and one of power—between the keeper and the kept” (Cox, 2020, p. 2), I purposefully take up the term *prisoner* to refer to individuals who are incarcerated as it is a way to interrogate the individualizing nature of these commonly used terms. The term prisoner may be seen as a neutral construction, one which “avoids the emotional and often discriminatory baggage” carried by other terms such as convict or inmate (Huckelbury, 2009, p. 25). I argue that these and other terms such as “offender” reflect the language of an oppressive institution and fail to acknowledge the structural inequities that may result in an individual causing harm that leads to their imprisonment. Indeed, deploying such terms is a method that institutions use to “sanitize” language through euphemisms that disguise punishment and underlying power structures (Maidment, 2006). Faith (1993) aptly summarizes the significance of attending to stigmatizing labels, particularly for criminalized women:

Given that labels are culturally invested with ideological significances, and applied with prejudice, it is best to avoid them. Certain women are criminalized, through social processes, and these women are then labeled female offender, delinquent, woman in conflict with the law, criminal or, most courteously, lawbreaker. When we recognize the contextual bases of illegal actions and the discriminatory nature of criminalization processes as applied to either men or women, and when we demystify labeled women by

showing their diversities as well as the commonalities they share as women in a gendered power structure, we lose the need for labels, or for gendered stereotypes. (p. 59)

The term offender reflects a permanent status and identity, for once an individual has offended, they are indefinitely an offender. The term prisoner, however, reflects a temporary status and identity and the social process of criminalization that makes one into a prisoner by way of incarceration (Culhane, 1991). In centering the power relations that ultimately underpin a label, we are better positioned to attend to the systems that create the conditions and processes of criminalization, such as colonialism, patriarchy, heteronormativity, capitalism, and neoliberalism (Cox, 2020).

Throughout this dissertation I avoid uncritically deploying terminology such as criminal justice system, crime, offense, and recidivism. While these terms may be used in direct quotations, in reference to programming material or in some discussions of CSC intentions and ideals (e.g., in the goals of programming), I recognize the individualizing and responsabilizing nature of these concepts. Also, as Culhane (1991) suggests, use of the word crime is “invariably related to street crime, but rarely, if at all, to other areas of criminality in our society,” such as in relation to the environment or workplace (p. 21). Instead, I mobilize critical and abolitionist-centred terms such as criminalization system, penal system, harm, and transgressions. This positions me to acknowledge that the current “justice” system is unable to serve the interests or meet the needs of people who are directly impacted by criminalized events (Carrier & Piché, 2015). In the words of Art Solomon (1990), the criminal justice system “has nothing to do with Justice. It has only to do with vengeance and control” (p. 32).

Notably, however, there are instances throughout this dissertation where I use CSC’s language and terminology. I do so with intention and purpose and do not do so uncritically. For instance, CSC’s programming for women is entitled “Women Offender Correctional Programs.”

To maintain clarity, I consistently refer to women's programming by its title (or the short form, WOCP), which includes, of course, the use of the term "offender," but I avoid using this stigmatizing term in the context of my analysis. I also use the term "correctional" throughout this dissertation. While I am critical of this term and CSC's intentions of correcting criminalized individuals who are most often marginalized in multiple and compounding ways, I maintain the term correctional in reference to programming, again to ensure clarity and consistency.

The term rehabilitation is also a term I use throughout this research. Rehabilitation is, ultimately, the stated goal of correctional intervention for prisoners, legislated by the *Corrections and Conditional Release Act of 1992* (s. 86). Prisoners are assumed to have faulty and distorted thinking, problem solving behaviours, and reasoning that can be altered via cognitive behavioural based interventions. It is problematic, however, to assume that prisoners can simply be rehabilitated through correctional programming while the structural context that may have led to their criminalization remains firmly in place. Indeed, the target of rehabilitation as an achievable state ignores the many intersections of oppression that women prisoners live on a day-to-day basis (Moore & Hannah-Moffat, 2005). I conceptualize this term in further detail in chapter two and problematize and engage with it more fully in chapter seven, but it is important to note here that when referring to the stated goals of programming and the logics that underpin the programming matrix for federally sentenced women, I do mobilize the term rehabilitation.

Finally, in addition to critical criminological language, I also deploy critical psy terminology throughout this dissertation. Namely, I use the term mental distress instead of terms such as mental illness or mental disorder, which reflect the central tenants of the medical model, the principles of which I do not take up in this research. The term mental distress better reflects my epistemological standpoint which acknowledges both the socially constructed nature of

mental disorders and the materiality of women's experiences of distress and how these are categorized as symptoms by the psychiatric community (Ussher, 2011). Using the term mental distress is a way of acknowledging the very real experiences of different physiological and psychological effects, while also recognizing that these experiences are the complex product of social discourse as well as culture, language, and politics (Bhaskar, 2011; Ussher, 2011). I unpack this term further in chapter four where I operationalize a series of key concepts mobilized in this research.

### **Dissertation Organization**

In chapter two, I review the relevant literature on criminalized and imprisoned women in the Canadian carceral context and present a current snapshot or profile of federally sentenced women. I further situate the project within the critical feminist criminological literature and draw on scholarship that is focused on incarceration, penalty, risk and the risk-need-responsivity model in particular, prisoner mental health (and the regulation thereof), and correctional and mental health programming. I explore the history and evolution of penal programming for federally sentenced women and draw on the psy literature to examine its roots, which are based in cognitive behavioural therapy. The chapter concludes with a discussion of a notable gap in the feminist criminological literature. Namely, little is known about the specific program processes and practices themselves or the mandatory interventions in which women must participate during their period of incarceration. Additionally, while women's lived experiences have rightly been at the forefront of this scholarship (via qualitative interview data), it is also important to investigate CSC's correctional programming interventions from a critical perspective by way of a textual analysis of official documents.

In chapter three, I discuss two perspectives that comprise my theoretical framework including an intersectionality-inspired gendered analysis as well as governmentality. While a governmentality paradigm positioned me to uncover how discourses become dominant “Truths” (Foucault, 1980), combining it with a gendered framework allowed for critical engagement with how “Truths” play out in the lives of criminalized and imprisoned women. Further, in this chapter I unpack the ways that CSC’s governance regimes (political rationalities and technologies of government), risk logic, and power/knowledge are mobilized in and through CSC correctional programming to discursively construct federally sentenced women in particular ways. Using Foucauldian theories and concepts of knowledge, discourse, power, and resistance, layered with a feminist lens, my theoretical approach offers a way to disentangle how interlocking identities are embedded within risk discourses that structure correctional programming efforts in ways that (re)produce power relations.

Chapter four outlines the methodological approach I took to conduct this research. I systematically outline the methods I employed to carry out the project and describe the epistemological standpoint I take in this research. Further, I unpack and discuss the analytic framework used to make sense of the data. In this chapter I acknowledge the “messiness” of qualitative research and detail the methodological and ethical challenges, dilemmas, and barriers I faced throughout the project, which allowed me to reflexively look at my position as a researcher and what it means to peer into people’s lives and tell others’ stories.

Chapter five begins the substantive analysis portion of the dissertation. In this chapter I map out how federally sentenced women are assessed and processed in terms of their needs and risks, the institutional programs they are required to participate in, and how the programs are delivered. As this detail remains undocumented in academic scholarship, this chapter is

important in terms of providing details of correctional intervention processes from the first point of contact at intake, through the institutional determination of programming streams, completing programs, and transitioning into the community. The chapter serves as a bridge between the literature, theory, methods, and substantive analysis chapters by outlining how women are processed through the correctional programming matrix; it also introduces some of the analytic arguments that unfold in the subsequent analysis chapters.

In chapter six I explore the gendered ways in which the prison discursively constitutes women as mentally distressed and motivated by their relationships and their emotions, and how correctional authorities manage women and their mental and emotional distress through the programming matrix. I argue that underlying gendered tropes, neoliberal ideals, and psy knowledges ultimately constitute women as both risky and at risk via discourses and practices that situate them as emotionally out of control. I also explore the ways in which women are responsabilized through self-governing strategies to regulate their emotions and “achieve” rehabilitation.

In chapter seven I discuss the gendered discourses of care upon which CSC structures programming for federally sentenced women. I provide a brief background of gender responsivity and the stated goal of correctional programming, which is rehabilitation. In the chapter I argue that despite CSC’s claims to rehabilitate and care for women via the Continuum and Circle of Care programs for prisoners through notions of empowerment and improving self-esteem, these logics are reconstructed through gendered, psy, and neoliberal discourses that ultimately result in further control, regulation, and punitiveness. I demonstrate that even though rehabilitative ideals are the premise upon which programs are constructed, the onus of change is

placed squarely on the shoulders of women prisoners, who must effectively “choose” their own path of rehabilitation by internalizing the corrective self-governance strategies they are taught.

Finally, in chapter eight, I provide a summary of my findings by outlining the key arguments made throughout the dissertation and unpacking some of the contributions this research makes to the larger bodies of relevant literature and areas of scholarship. I also reflect on some of the social and policy implications of this research, where I attempt to push the figurative envelope by “zooming out” to consider the broader structures through which we must think about incarcerated women, gender, mental health, rehabilitation, punishment, and the role of the prison. I advocate for abolitionist solutions and non-reformist reforms to better support prisoners and to address some of the failings of CSC correctional intervention.

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## CHAPTER 2 – Literature Review

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### **Introduction**

Feminist criminologists have explored various issues pertaining to mental health programming and intervention for women, such as dialectical behaviour therapy (Pollack & Kendall, 2005), the administration of psychotropic medication (Kilty, 2012a), Indigenous women's experiences of programming (Martel & Brassard, 2008; Martel, Brassard, & Jaccoud, 2011) and how CSC's risk assessment tools dictate the programming that women are mandated to participate in (Hannah-Moffat, 2010); yet, the content and design of the correctional program modules themselves have yet to be investigated by a feminist criminological scholar. In the last ten years alone, the population of women in prisons has changed significantly and CSC federal prison programming for women has evolved considerably. In 2010, CSC implemented a comprehensive, streamlined, continuum-based model of programming for incarcerated women, as opposed to the separate, needs-based programs that existed previously (Harris, Thompson, & Derkzen, 2015; Zinger, 2022). Prior to this change in 2010, programming was tailored to women's particular life experiences and criminalization (Matheson, Doherty, & Grant, 2009; Zinger, 2021). The current correctional programming offered to women is now streamlined and universal in nature; it is based on an updated version of Andrews and colleagues' (1990) risk-need-responsivity model, grounded in a cognitive-behavioural approach, and is purported to be gender responsive (Harris et al., 2015).

In this chapter, I explore the context of these transitions and changes and provide a snapshot of the current state of federal prisons and correctional programming for women. I begin by providing a demographic profile of federally sentenced women. Next, the chapter explores the

prevalence of mental health concerns amongst women in prison and how mental health is regulated and managed in the carceral context. I then examine the risk-need-responsivity (RNR) model, where and how it developed, the related actuarial risk assessment instruments used in Canadian prisons, as well as the governing logics that serve as the basis of risk-need-responsivity. I then review the related critiques of the RNR model, with an eye to considering the gendered context. This section ends by exploring the literature on both cognitive behavioural therapy and dialectical behaviour therapy, the framework upon which women's programming is structured; I describe how these psychological therapies have been mobilized within the RNR model and carceral context to achieve prisoner rehabilitation, which also serves as a transition to the final section on the institutional objectives of correctional programming. The final section of the chapter outlines and critiques present-day programming for federally sentenced women. I conclude by discussing the unanswered questions in the literature and how this project addresses them.

## **Federally Sentenced Women in Canada**

### **A Demographic Profile**

The population of incarcerated women has increased dramatically over the last three decades both in Canada and throughout the world (Balfour, 2014; Chartrand, 2015; Sapers, 2016; Sudbury, 2005; Zinger, 2021). In fact, the latest statistics show that number of federally incarcerated women in Canada increased by 33% from 2009 to 2019 (Zinger, 2019). Such a dramatic carceral expansion can, in part, be traced back to the closure of the Kingston Prison for Women (P4W) and the subsequent opening of six regional facilities for women following the Task Force on Federally Sentenced Women's (TFFSW) recommendations in their report, *Creating Choices* (1990). While the closure of P4W was significant, the opening of the regional

facilities translated into increasing the number of imprisoned women to fill the new spaces. Indeed, at the time *Creating Choices* was released, there were 170 women in federal custody; in 2021, the Office of the Correctional Investigator reports that there were 615 incarcerated women in federal penitentiaries (Zinger, 2021).

At present, there are six federal prisons for women across Canada that are operated by CSC, almost all of which are multi-level institutions that house women with security classifications of minimum, medium, and maximum<sup>4</sup>. Within these multi-level facilities, women with more serious mental health needs or cognitive impairments reside in Structured Living Environments (SLE), where specialized staff operate twenty-four hours a day, seven days a week. Federal prisons for women are located in British Columbia (Fraser Valley Institution for Women in Abbotsford), Alberta (Edmonton institution for Women in Edmonton), Saskatchewan (Okimaw Ohci Healing Lodge on the Nekaneet First Nation near Maple Creek), Ontario (Grand Valley Institution in Kitchener), Quebec (Joliette Institution in Joliette), and Nova Scotia (Nova Institution in Truro).

While the general population of federally sentenced women has increased by 33%, the population of Indigenous women increased by a troubling 74% from 2009-2019 (from 169 prisoners to 291) and they now account for 42% of all federally incarcerated women in Canada despite making up only 4% of the total population of Canadian women (Zinger, 2021). Indigenous women in prison serve proportionally more of their sentence in custody before being released than do non-Indigenous women, are more likely to be placed in higher security settings, are under-represented in community corrections (e.g., parole), are more likely to have “high employment/education needs at intake”, and are overrepresented in incidents of self-harm

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<sup>4</sup> The Okimaw Ochi Healing Lodge, located in Maple Creek Saskatchewan, is exclusively for Indigenous women and is designated as minimum and medium security.

(Chartrand, 2019; McGuire & Murdoch, 2021; Montford & Hannah-Moffat, 2021; Montford & Moore; 2018; Palmater, 2018; Reece, 2020; Zinger, 2019).

### **Setting the Stage: Criminalized Women, Neoliberal Penalty and Mental Health**

Despite the growth in the number of incarcerated women, welfarist supports (e.g., unemployment insurance, funding for church-based and community-based organizations [Balfour, 2014]) have decreased with the rise of neoliberal policies (i.e., austerity measures vis-à-vis significant budget cuts to social programming, zero-tolerance crime policies, a focus on risk-management, parole-release restrictions, welfare reforms including significant cuts and the criminalization of poverty through welfare fraud laws [Comack, 2014]), leaving fewer resources for marginalized women (Kilty, 2012a). Pollack (2009) aptly describes this drastic and troubling increase in prison populations in the following way:

With fewer community resources available and a shrinking welfare state, marginalized women are being locked up in greater and greater numbers. Prisons become the default response to social inequalities and marginalization. Yet prison exacerbates social exclusion by removing people from their communities and families and diverting community resources into prison systems. (p. 125)

Problematically we see that marginalized women are increasingly criminalized, and prisons are used as the “catch all” for those who fall through the cracks of the shrinking social safety net; indeed, prisons are now the solution for government and social failures (Davis, 2003; Gilmore, 2007; Kilty, 2021a; Maidment, 2006).

The rapidly increasing rate of incarcerated women has become a particular focus for Canada’s Correctional Investigator; in the latest annual report (Zinger, 2021), the Office of the Correctional Investigator (OCI) conducted a review of federally sentenced women since the release of *Creating Choices*. The OCI found problems with the security classification system, access to health care, the grievance system, overly restrictive housing, overcrowding, an absence

of meaningful employment for women, a lack of adequate mental health intervention, poor program completion due to drop-out and suspension rates (especially for Indigenous women), an ongoing failure to respond to complex mental health cases and the unique needs that women in maximum security present, and that maximum security units remain particularly rife with issues such as inappropriate infrastructure (Zinger, 2021). The OCI also reports that women with mental health concerns are more likely to be placed in maximum security, and, despite their psychological needs and elevated rates of self-injurious behaviour, they continue to be placed in segregation and report feeling unsafe, unsupported, and as suffering negative impacts of isolation (Zinger, 2017). Maximum security units (also known as secure units) also employ an alternate security classification system, where women in maximum security are subject to multiple restraints and supervision when they go anywhere outside of their unit (Zinger, 2017; Zinger, 2021). Women are shackled and supervised by up to two guards as they move from the secure unit to attend programming, school, or a health care appointment (Zinger, 2017). Men with maximum security classifications are not subject to these same movement restrictions to attend programs or to access services. The OCI reports that the secure unit system is a gendered discriminatory practice that is unique to women's prisons (Zinger, 2017).

Scholars began to focus in earnest on women's imprisonment toward the end of the twentieth century and particularly following the establishment of the Task Force for Federally Incarcerated Women (TFFSW) and the release of the *Creating Choices* policy document in 1990, a report that called for fundamental reform to alter the foundational philosophy and underlying principles of penal policy for women (Balfour, 2014). As a result of this report, new prison regimes were developed that were said to incorporate feminist principles and recognize the unique experiences of Indigenous women (Balfour, 2014; Chartrand & Kilty, 2018; Hannah-

Moffat, 2010; Hannah-Moffat & Shaw, 2000; Maurutto & Hannah-Moffat, 2016). The Task Force recommended that fundamental changes be made to the way prisons were run and staffed, how programming was to be deployed, and how women were to be supported as they were released from prison (TFFSW, 1990). For example, new facilities were to be built in small, minimum security cottage-style houses (with no maximum security or segregation units), with independent living areas for family visits and for women who had small children. The Task Force recommended that the facilities be staffed depending on the needs of the women, with an emphasis on support over security (Hannah-Moffat & Shaw, 2000). Further, programming was to be designed specifically for women prisoners and was to be holistic in nature while reflecting the needs and experiences of women. The report also called for developing more community-based resources and programs to support women as they returned to their communities, including halfway houses, supported accommodation, residential addiction centres, and community-release centres (Hannah-Moffat & Shaw, 2000).

Although well-intentioned and timely, the recommendations of *Creating Choices* were never fully operationalized. Rather, they were folded into CSC policy and practice and translated into security-based regulation and management of women, in turn supporting a neoliberal agenda of penal discipline that emphasizes responsabilization and self-governance tactics (Chartrand & Kilty, 2018; Hannah-Moffat, 2001). Through feminist-inspired logics, the Task Force sought to “highlight that the structural inequities experienced by women prisoners are similar to broader gender inequalities” (TFFSW, 1990, p. 105), yet these logics were instead translated into a neoliberal narrative that focuses on women’s (lack of) self-esteem and their need to become “empowered” to make responsible choices that would change the direction of their lives. Penalty was reconfigured through the lens of risk management and responsabilization of both prisoners

and community agencies that took on the task of “shared responsibility” (Hannah-Moffat, 2001; Maurutto & Hannah-Moffat, 2016).

Much research has been conducted on imprisoned women since the *Creating Choices* era. Key feminist criminological scholars have delved into subjects relating to criminalized women and penalty that intricately align with this project, such as therapeutic intervention and psy-practices, self-harm, risk/need assessment, and segregation (see for example Balfour, 2000; Carlen, 2002; Dell, Fillmore, & Kilty, 2009; Hannah-Moffat, 2001, 2004a, 2005, 2010, 2015; Kendall, 2000, 2022; Kilty, 2006, 2012a, 2014a; Maidment, 2006; Parks & Pate, 2006; Pollack, 2007, 2009, 2010; Pollack & Kendall, 2005). These scholars have argued that incarcerated women tend to be regulated by prison policy in ways that are specifically tied to their gender. Feminist scholars have also asserted that women’s unique needs and their intersectional oppressions condition their experiences of, reactions to, and behaviours within prisons that correctional staff interpret as requiring mental health intervention (Dell et al., 2009; Kendall, 2000; Kilty, 2012a, 2014a; Hannah-Moffat, 2001; Pollack & Kendall, 2005). For example, segregation is used as a tool for maintaining prison security by placing those who are deemed to have mental health concerns in isolation in order to reduce women’s distress (Hannah-Moffat & Klassen, 2015; Kilty, 2014a; LeBlanc, Kilty, & Frigon, 2015). Research also suggests that women who have mental health concerns and display signs of emotional and physical distress, including self-injury, are more likely to be assessed as high risk and high need and are subject to mandatory therapeutic interventions and increased security logics that may be unrelated to the structural causes of their behaviours, such as a history of poverty, racism, victimization, violence, and abuse (Hannah-Moffat, 2010, 2012; Hannah-Moffat & Klassen, 2015; Kilty, 2012a, 2014a; Pollack & Kendall, 2005). These women are more likely to experience increased

levels of use of force, involuntary administration of psychotropic injections, and to be placed in segregation (Hannah-Moffat, 2012; Hannah-Moffat & Klassen, 2015; Kilty, 2012a, 2014a).

### **Mental Health in Prisons**

Mental health and the ways in which treatment and intervention are delivered in prisons have long been a contentious issue. The psy-carceral complex (which includes interventions from the fields of psychiatry, psychology, and social work) is central to the regulation of prisoners and operates through different technologies of power, primarily cognitive behavioural programming and psychotropic medications, and therefore reinforces social authority and political power (Kendall, 2000; Kilty, 2012a, 2014a; Pollack, 2010; Pollack & Kendall, 2005; Rose, 1998). Pollack and Kendall (2005) argue that women prisoners' mental health is regulated by the psy-carceral complex vis-à-vis mental health programming and intervention (see also Kendall, 2000, 2002; Pollack, 2004, 2007, 2009, 2010, 2012). They and other critical feminist scholars have also pointed to the structural factors that lie at the root of women's criminalization and mental distress, such as poverty, racism, victimization, violence, and sexual abuse (Hannah-Moffat, 2010, 2012; Hannah-Moffat & Klassen, 2015; Kilty, 2012a, 2014a; Pollack & Kendall, 2005). Pollack and Kendall (2005) further assert that "criminal justice and correctional policy often dilute a structural analysis, privileging instead individualizing discourses such as those drawn from psychiatry" (p. 73). For women in prison, the result is that their social disadvantages (which are inherently gendered, classed, and racialized) are reconstructed as individual psychological problems and cognitive deficits in need of regulation and rehabilitation (McCorkel, 2003; Pollack, 2012). Women's mental distress is assessed and managed in ways that are directly tied to their risk level and they are required to engage in cognitive behavioural

programming to facilitate their successful rehabilitation and safe reintegration post-incarceration. There is, however, more to this picture.

The next section situates the project in the critical mental health literature by exploring mental distress in the prison context. I discuss the prevalence of mental health concerns and of psychiatric diagnoses in prisons (as assessed and reported by CSC and the OCI), the gendered nature of how mental distress is constructed, and the ways in which the federal prison system responds to and regulates mental distress, including institutional sanctions and punishment, as well as the types of intervention and therapies that are said to be available.

### **The Prevalence of Mental Distress**

The number of women prisoners that CSC identifies as having a mental disorder has steadily increased over the years – from 13% in 1997, to 29% in 2008-2009, and now to 80%, as CSC’s latest reporting on this subject indicates (CSC, 2018; Derkzen, Booth, McConnel & Taylor, 2012). While a causal connection cannot be drawn to definitively explain this increase, particularly because contextualizing information is not gathered in these studies, we can speculate about the varying reasons for it. It is important to interrogate whether the increase is due to a shifting definition of what is considered a mental disorder in the carceral context, whether screening practices have changed over time, if the conditions of incarceration are leading to more mental distress, and even whether the rates of psychiatric illness have been underestimated in the past (or overestimated at present). Though investigating this increase is beyond the scope of this project, it is nevertheless pertinent to problematize such a significant increase in mental distress. Indeed, it has been widely recognized that there is a pressing need to address mental health in prisons and to further investigate the prevalence of mental health

disorders among federally incarcerated women and the reasons why we see such a high percentage of incarcerated women who are experiencing mental health distress.

A recent CSC research publication demonstrates highly concerning findings regarding the prevalence of major mental disorders among federally sentenced women. The study found that an overwhelming majority of women, 79.2%, met criteria for a current mental disorder (Brown, Barker, McMillan, Norman, Derkzen, & Stewart, 2018). Even more alarming was the rate for Indigenous women – 95.6% of whom are assessed at intake as meeting the criteria for a major mental disorder and 97.3% have had a diagnosis of a mental disorder in their lifetime (Brown et al., 2018). In 2018, the Office of the Correctional Investigator also confirmed that complex mental health cases and challenging mental health needs (including chronic self-injurious behaviour) pose a significant problem and are not being addressed adequately in institutions for women (Zinger, 2018). While the above statistics are clearly troubling on the surface, a closer, more critical examination suggests that these high rates may also reflect the problematic criteria that CSC mobilizes to assess women for psychiatric illness, which pathologizes their distress by, for example, conflating their social marginalization with mental health issues (Rimke, 2018; Pollack & Kendall, 2005).

In 2012, CSC released a policy document on a new mental health strategy for corrections in Canada, its key principle being that mental health services must respond to the diverse backgrounds and needs of prisoners, with particular emphasis on women and Indigenous prisoners (*Mental Health Strategy for Corrections in Canada*, 2012). It has been a decade since the release of this guiding policy framework and nearly two decades since the more gender-specific *Mental Health Strategy for Women Offenders* was released (Laishes, 2002). The OCI has consistently recommended that serious and immediate changes be made to how federal

institutions handle “complex mental health cases” (Zinger, 2018). Indeed, it is concerning that no matter what policies are in place or what mental health interventions are deployed, incarcerated women’s mental health continues to be a concern that is addressed in gendered ways.

### **Regulating Mental Distress**

Mental distress and the ways in which it manifests in prison is often regulated through punitive methods. Women who do not conform to traditional, patriarchal notions of femininity; who engage in self-injurious behaviours; who experience sadness, fear, and other intensified emotions; and whose resistance is deemed disruptive and unruly, are pathologized (or regarded as psychologically abnormal) and punitively controlled within the psy-carceral complex (Dell et al., 2009; Kilty, 2006; 2012a, 2014a; Kilty & Dej, 2018; Pollack & Kendall, 2005). Some of the punitive practices that are deployed to manage mental distress include segregation, extreme uses of force, involuntary injections of psychotropic medication (as well as a general over-reliance on prescribing psychotropic medication for all prisoners regardless of their real mental health needs), and involuntary institutional transfers (Chartrand & Kilty, 2018; Hannah-Moffat, 2001; Hannah-Moffat & Klassen, 2015; Kilty, 2012a, 2014a; LeBlanc et al., 2015; Martel, 2001; Parks & Pate, 2006; Pollack, 2009, 2012; Pollack & Kendall, 2005).

Although medication is not an inherently punitive intervention and is undeniably helpful for some people, the context within which medication is administered in prisons to regulate distress is, in many instances, problematic. Research suggests that psychotropic medication rates are higher in prisons than in the community (Brown, 2017); indeed, Brown (2017) found that 10-20% of the general community population is prescribed psychotropic medications, while the rate for women in prisons is 40-50%. Not only is there an elevated rate of prescriptions for psychotropics, but Kilty (2012a) also found that women prisoners are prescribed these drugs for

reasons other than they were intended (e.g., as a sleep aid rather than as a mood stabilizer for bipolar disorder). While off-label prescriptions are not uncommon, the fact that women seldom receive a follow up assessment with a psychiatrist to determine how an individual is adapting to the medication is concerning (Kilty, 2012a). Ultimately, this overreliance on psychotropic medication that prioritizes institutional security by, for example, heavily sedating women, over individual care is problematic in the carceral context, as women's real needs become subverted under the guise of psy-care and their agency is called into question. Notably, participants who I interviewed for this research also reported feeling that they were in a "zombie-like state" while on medication, something Kilty (2012a) found over a decade ago, while others discussed feeling more stable because of their medication. In the end, it is the *misuse* of the medication for women prisoners that becomes punitive.

The use of segregation and the use of force against women prisoners are also ways in which prison staff manage women who are displaying symptoms indicative of mental distress – in fact, over the ten-year period of 2005 to 2015, women's admission into segregation increased by 15.8% and uses of force against women increased by 54.5% (Sapers, 2015a). While admissions to administrative segregation have declined since 2015, rates of self-harm and the use of psychotropic medications continue to be of concern (Zinger, 2018). The situation is even more dire for Indigenous women who, despite segregation rates declining for non-Indigenous prisoners, continue to be disproportionately admitted to segregation (Zinger, 2018). In 2014-15, Indigenous women prisoners comprised almost half of all admissions to segregation, the use of force incidents against them more than tripled, and they self-injured at a rate of 17 times that of non-Indigenous women (Sapers, 2015a).

While CSC claims that placing a self-injurious woman into segregation is for her own safety and the security of the institution,<sup>5</sup> it does not take an expert to surmise that being isolated in a concrete room with no human contact, very little clothing, and no ability to attend programming or counselling has exacerbating and deleterious effects on one's mental state (Guenther, 2013; Hannah-Moffat & Klassen 2015; Kilty, 2014a; 2018; LeBlanc et al., 2015). Yet, this is one of the institutional methods that the Correctional Service of Canada deploys to regulate women's mental health concerns and their experiences of mental and emotional distress (Hannah-Moffat & Klassen, 2015; Kilty, 2014a; LeBlanc et al., 2015). Ultimately, Pollack and Kendall (2005) assert that "responding to women's coping strategies punitively only reinforces the need for them to self-protect, thereby perpetuating, rather than alleviating, women's distress and difficult behaviour" (p. 81).

### **Programming in Federal Prisons: From Nothing Works to What Works**

The penal welfare period began in the 1940s and lasted until the 1970s and was characterized by a central belief in rehabilitation (Garland, 2001; Rose, 1996). Garland (2001) suggests that "penal-welfare principles tended to work against the use of imprisonment, since the prison was widely regarded as counter-productive from the point of view of reform and individual correction" (p. 35). Rehabilitative ideals were central to penal-welfarism, indeed "the organizing principle, the intellectual framework and value system" (Garland, 2001, p. 35). Indeterminate sentences, early release and parole supervision, social inquiry and psychiatric

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<sup>5</sup> It is important to acknowledge here that while the overwhelming majority of segregation events were involuntary (89%), there are also cases (8%) where segregation may be voluntary and requested by a prisoner who is seeking a quiet space to, for example, process trauma away from the general population where she is constantly surrounded by people (Thompson & Rubenfeld, 2013). However, this arguably speaks more to the conditions of confinement and the constrained choices a prisoner has – that she would choose to isolate herself in the poor conditions of segregation rather than stay more mobile in the general population – than it does to the benevolence of the institution to "grant" her voluntary segregation or "alone" time.

reports, individual treatment, social work with criminalized people, and an emphasis on reintegrative support were all principles and practices that were emphasized during this time (Garland, 2001). In practice, however, rehabilitation was not always the most common result. The discretionary nature of the system allowed some individuals to be detained for lengthy periods – notably those who were perceived to be “dangerous” or “recidivistic” – while others with more “respectable backgrounds” were shown more lenience (Garland, 2001). Ultimately, the penal-welfare framework combined both penal and welfare aims and the state was both repressive and reformist in its responsibility to provide care and punishment to those who broke the law (Garland, 2001).

In the 1970s, criticism of penal-welfarism emerged, which subsequently gave way for neoliberal penal strategies and modes of governance to flourish in the correctional landscape (Garland, 2001). Critiques of penal-welfarism were rooted in a deep distrust of state power, questions of professional motives, a concern for “empowerment” of the poor and of minority groups, and the idea that treatment should not be linked with punishment (Garland, 2001). For some, rehabilitation was seen as ineffective in reducing “recidivism” – or recriminalization – and preventing crime, an idea that, in 1974, led Robert Martinson to famously declare that “nothing worked” when it came to rehabilitating prisoners through correctional programming. During this time, some critics argued that rehabilitative efforts had their merits, while others asserted that “deviant criminals” were being treated too sensitively (Andrews, Zinger, Hoge, Bonta, Gendreau & Cullen, 1990). However, after years of debate and critique among academics and the press alike over Martinson’s questionable research methodologies and conclusions, Martinson (1979) revised his statement. Withdrawing his initial conclusion, he instead argued that certain rehabilitative practices in prisons may be ineffective under some conditions, beneficial in others,

and even detrimental in some (Martinson, 1979). He asserts, “The most interesting general conclusion is that no treatment program now used in criminal justice is inherently either substantially helpful or harmful. The critical fact seems to be the *conditions* under which the program is delivered” (Martinson, 1979, p. 254; emphasis in original).

Despite Martin’s (1979) revised conclusion, Andrews and colleagues (1990) argued that the “attack on rehabilitation was a reflection of broader social and intellectual trends” (p. 370); they subsequently sought to prove what *did* work, forming a counter-narrative in reaction to Martinson’s (1974, 1979) research. Opposing those who agreed that rehabilitation only worked “some of the time,” this group of Canadian psychologists and criminologists set out to provide evidence-based explanations to prove that correctional rehabilitation reduces “recidivism,” and thus developed the risk-need-responsivity (RNR) model (Andrews et al., 1990). This research and the ideas that informed it demonstrated the continued shift to neoliberal penal strategies that promoted the efficient management of prison populations and the responsabilization of individuals to manage their own welfare (O’Malley, 2004; Hannah-Moffat, 2004b). It is also here that we see how risk became central to punishment (Garland, 2001).

### **Risk-Need-Responsivity**

Through meta-analysis and a study of the psychology of criminal conduct, Andrews and colleagues designed a model that constituted “appropriate and effective” assessments and treatment for prisoners (Andrews et al., 1990; Andrews & Bonta, 1998; Newsome & Cullen, 2017). Proponents argue that the RNR model is “what works” in prison to reduce “recidivism” and to rehabilitate offenders.<sup>6</sup> It is purported to be evidence-based, theoretically supported, and is

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<sup>6</sup> It is important to note that this section provides an objective overview of Andrews and Bonta’s Risk-Need-Responsivity model in order to situate the topic in the original source material. I have organized it thus to present the origins and basis of correctional programs for women, which is followed by a critique of this model.

comprised of three main principles (i.e., risk, need, responsivity) and several overarching principles (e.g., programs are based on empirically supported psychological theory). The core principles are paramount in predicting “reoffending behaviours” and rehabilitating prisoners, according to Bonta and Andrews (2010; see also Bonta & Andrews, 2007). The model posits that risk is individual and therefore that treatment must focus on an individual’s criminogenic factors by targeting their thoughts, behaviours, and beliefs (Andrews & Bonta, 1998). At the core of this assertion is that an offender is a rational person who chooses to engage in particularly problematic (“risky”) behaviours.

The *risk* principle is based on the premise that criminalized behaviour is not only predictable, but that it can also be reduced through treatment services that correspond with an individual’s risk level (Andrews & Bonta, 1998). For example, those who are assessed as higher risk must receive more therapeutic intervention than those who present a lower risk level. Correspondingly, the *needs* principle distinguishes between criminogenic needs and non-criminogenic needs. Criminogenic needs are dynamic risk factors (i.e., needs associated with an individual’s “criminal behaviour”) and are at the forefront of correctional programming (Bonta & Andrews, 2010, p. 20). It is suggested that some prisoners who present higher levels of risk will also have more criminogenic needs that require varying levels of treatment (Bonta & Andrews, 2010). The needs principle posits that individuals have specific needs (e.g., substance use or a history of abuse and trauma) that must be targeted for intervention and rehabilitation. The third principle, *responsivity*,<sup>7</sup> addresses an individual’s risks and needs through general and specific responses. General responsivity refers to the interventions that are most effective in

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<sup>7</sup> It is of note that while proponents of the RNR model claim that the responsivity principle takes individual needs into account, prisoners are categorized together into a larger group of supposedly similar subjects in CSC’s correctional programming. This, of course, calls into question whether programs are able to take individual factors into account considering the lack of attention and focus on person-specific needs.

teaching new behaviours and typically includes correctional programming (grounded in cognitive behavioural techniques) and other social interventions. Specific responsivity involves treatment interventions that pertain to an individual's specific learning styles, personal strengths, and socio-biological-personality factors (Andrews et al., 1990). The RNR model is still the dominant rehabilitative intervention paradigm used in Canadian prisons for both men and women (Harris et al., 2015; Newsome & Cullen, 2017).

The RNR model is now in its fourth generation of risk assessment tools. First generation tools combined risk and need and assessments were conducted based solely on professional judgement, while the second generation saw the introduction of evidence-based tools and actuarial risk assessment instruments to predict behaviour (Bonta & Andrews, 2007). Second-generation tools were found to not meet the full mandate of the criminal justice system, however, as they were unable to point to the kind of treatment a prisoner should receive (Bonta & Andrews, 2007). The third generation of risk assessment tools aimed to add greater objectivity in their measure of static and dynamic risk and criminogenic need factors and also aimed to address prisoner risks and needs through targeted interventions (Bonta & Andrews, 2007). Dynamic risk factors include a variety of "criminogenic needs" that are directly linked to criminalized behaviour, which would include details of an individual's background, personal characteristics, interpersonal relationships, substance abuse, social interaction, attitudes, employment/education, marital/family circumstances, community function and personal/emotional needs. Prisoners are subsequently rated as low, moderate, or high on these different factors (Hannah-Moffat, 2007; Harris et al., 2015; Helmus & Forrester, 2014). Static risk factors do not change and are considered immutable to treatment intervention. They include previous criminal charges (both youth and adult), sex offending history, sentence types, number and severity of convictions,

victim characteristics, and detention criteria (Hannah-Moffat, 2007; Harris et al., 2015; Helmus & Forrester, 2014). The third generation of risk assessment tools was also able to determine, using actuarial methods, which programs and treatment interventions a prisoner must participate in that would predictably reduce their risk of “recidivism” (Bonta & Andrews, 2007).

The notable difference between the second and third generation of risk assessment tools was how prisoners were conceptualized. Second-generation tools “produced a *fixed risk subject* who was designated to a particular risk category (high, medium, or low) based on accumulated historical factors that, for the most part, could not be changed” (Hannah-Moffat, 2005, p. 32; emphasis in original). Third-generation tools considered prisoners as a “transformative risk subject” who, unlike the fixed subject, “is amenable to targeted therapeutic interventions” (Hannah-Moffat, 2005, p. 31). Transformative risk subjects learn to manage their needs and reduce their risk by acquiring skills, abilities, and attitudes gleaned from correctional intervention.

According to Bonta and Andrews (2007), fourth generation risk assessment tools integrate systematic intervention and monitoring and assess a broader spectrum of risk factors, including personal factors (e.g., self-esteem, individual strengths and weaknesses, learning styles, abilities) and integrate more emphatically the responsivity factor into the assessment of risk and need (Bonta & Andrews, 2007; Hannah-Moffat, 2005). Specific to this generation of risk assessment tools is an ongoing assessment of prisoners’ risks as opposed to conducting an assessment only during the intake process. This, Bonta and Andrews (2007) assert, improves the ability to predict prisoners’ risk levels. The Level of Service Inventory (LSI) is the primary actuarial risk assessment tool deployed as a fourth generation instrument.

The LSI quantifies various individual characteristics and predicts a particular level of risk based on a prisoner's dynamic needs. The revised version (LSI-R) has been used at varying stages of an individual's incarceration – starting at the initial intake assessment through to case management, transfers, programming, and release (Maurutto & Hannah-Moffat, 2006). There are over ten versions of the tool, as it has undergone many modifications since its inception. The LSI-R contains 54 items which are grouped into ten factors, including criminal history, education/employment, financial, marital/family, accommodation, leisure/recreation, attitudes/orientation (Andrews & Bonta, 2002). The LSI-R uses a scoring system that determines an individual's overall risk and need level and also ranks the individual's dynamic risk factors (i.e., changeable factors). A final risk score is used to determine case management strategies and the type and level of intervention necessary. There is also a space for professional judgment, where the discretion of an assessor documents their permission to override a final assessment (Andrews & Bonta, 2002; Maurutto & Hannah-Moffat, 2006). The LSI-R as an actuarial risk assessment tool is how the risk-need-responsivity model is operationalized in prisons.

The Custody Rating Scale is another actuarial assessment tool deployed alongside the LSI-R to establish a prisoner's security classification specifically (Blanchette, 1997). This tool assesses the amount of supervision a prisoner requires, their likelihood of escape, the threat to public safety in the event of escape, and the prisoner's history of violence and/or offending (Montford & Hannah-Moffat, 2021). Both tools are administered during the intake process where a prisoner will receive their assessed risk/need level, security classification, and intervention necessary for their "correctional plan."

Actuarial risk assessment tools and the RNR model have long come under fire from critical scholars. While proponents consider the assessment tools to be morally neutral, objective,

and apolitical, Hannah-Moffat (2005) instead describes the ways in which these claims of scientific objectivity “mask the inherently moralistic/normative elements of this penal exercise” (p. 37). Risk assessment tools for women that measure their static and dynamic risks and needs and prescribe necessary interventions are based on and validated using men as the sample populations, which means the tools pivot on normative assumptions about prisoners that are problematically gendered (Montford & Hannah-Moffat, 2021). For example, targets such as employment, marital/family, criminal associates, substance abuse, community function, personal/emotional, and attitude are predicated on an ideal and constructed moral assessment of values, lifestyles, and experiences (Hannah-Moffat, 2005, 2015, 2018). The use of these assessment tools presumes that risk factors are the same across all populations of people in the penal system, which is particularly problematic for women, Indigenous peoples, and other racialized individuals (Martel, Brassard, & Jaccoud, 2011; Montford & Hannah-Moffat, 2021). Montford and Hannah-Moffat (2021) assert, “Even when proponents of gender-responsivity have agreed that some generic factors are relevant to the assessment of women’s risk, how factors such as substance use, employment, and intimate relationships are relevant to risk, differ across genders” (p. 3); problematically, actuarial risk assessment tools used for women, by design and use, do not attend to these issues.

It is imperative that the term “need” is understood from a more critical criminological standpoint as opposed to a strictly actuarial and psychological one. Indeed, Hannah-Moffat (2015) contends that it has rarely been comprehensively analyzed in empirical research in ways that may inform an assessment process. A need generally can be considered as essential to an individual’s life, safety, and security, but in the carceral context, a need is not linked to what a person requires but the factors in their lives that can be intervened upon so as to reduce their risk

to reoffend (Hannah-Moffat, 2018). The need principle implicitly targets supposed criminogenic attributes that are linked with the likelihood of reoffending, while failing to recognize other needs such as poverty or physical health issues, for example (Hannah-Moffat, 2018). Non-criminogenic needs are also assessed but are not necessarily associated with a decrease in “recidivism” (Andrews & Bonta, 1998). Further, need categories are established without a comprehensive analysis of how different groups may have different needs, which ultimately ignores the ways in which categories such as gender and race may inform a prisoner’s needs (Hannah-Moffat, 2015). Ultimately, as Hannah-Moffat (2015) asserts, “It is important to focus more closely on, and possible modify, our understanding of criminogenic needs” (p. 115).

This risk/need style of governance is the central (neoliberal) technology of power that is mobilized to create self-governing subjects who are responsabilized to engage in their own rehabilitation. It is here we see the “hybrid construction” of risk/need, as Hannah-Moffat (2015) argues, which is how the “risky subject” becomes transformed into the “rational, risk-managing subject.” Indeed, “individuals...should ‘self-help’, be prudent and insure personal and communal protections against hardships such as unemployment, sickness and accidents” (Martel et al., 2011, p. 238). Prisoners must carefully manage their own risk of “recidivism” as well as their criminogenic needs by engaging in correctional programming, using the cognitive behavioural strategies they are taught, and taking responsibility for their past and present choices. By participating in programs that are based on a cognitive behavioural framework (recall the responsibility principle of the RNR model), prisoners are instructed (mandated) to “correct” the poor decisions of their past by improving their skills, abilities, and attitudes to become “successful” decision-makers (Hannah-Moffat, 2005, 2015, 2018). This presumes, however, that the acts they were criminalized for were largely the outcome of poor decision making, rather

than structural inequalities and oppressive and harmful systems. The rhetoric of empowerment is used to direct prisoners to become self-sufficient and independent and takes on a particular gendered form for women prisoners, which I address in the following section.

### **Regulating Federally Sentenced Women Through Risk-Need-Responsivity**

So far, this chapter has discussed how the RNR model emerged, how risk assessment tools such as the LSI-R are used more generally, and what some of the common critiques of RNR model are. This section details how the RNR model operates as the overarching penal logic that is used to make sense of and govern women prisoners. Indeed, the management of risk has become the focus and key organizing principle in correctional practice and is thus important to consider if we are to examine how criminalized women are constructed and understood in and through correctional discourse. The ways in which the RNR model is associated with how mental health is conceived of and managed in prisons, especially as it relates to women who are considered high risk/need, will be addressed in detail at the end of this section.

CSC conducts risk assessments upon admission and at different stages throughout a prisoner's incarceration to identify each prisoner's security classification, the "appropriate" programming placement, necessary mental health interventions, and to monitor progress (Hannah-Moffat, 2005, 2013, 2015, 2018; Holtfreter & Cupp, 2007; Lianos, 2000; Pollack, 2010; Van Voorhis, 2012). Recall that the LSI-R is the actuarial risk assessment tool used to determine prisoners' risks and needs and to establish appropriate intervention strategies. The LSI-R was created as a gender-neutral instrument, meaning it was not created with the differences between men and women in mind. Andrews, Bonta, and colleagues (Andrews et al., 1990; Andrews & Bonta, 2006; Dowden & Andrews, 1999) consider the LSI-R to be gender neutral, premised on the general principles of social learning theory and cognitive psychology.

They argue that predicting “recidivism” based on these psychological theories should be the same for both men and women because the “causes of criminality” are not gender specific but rather general in nature (Smith, Cullen & Latessa, 2009).

Distinctly, on the other hand, feminist criminologists argue that there are clear differences between women and men when it comes to engaging in criminalized behaviours, despite the empirical (psychological and statistical) research that claims the same risk factors can predict criminalized behaviour in both men and women (Hannah-Moffat, 2015; Moffitt et al., 2001; Pollack, 2010). Scholars have criticized the RNR model for failing to incorporate or comprehensively analyze the varying needs of subgroups (such as women, particularly racialized women), instead using a universal criminogenic need category (Hannah-Moffat, 2005, 2013, 2015; 2018; Holtfreter & Cupp, 2007; Maurutto & Hannah-Moffat, 2006; Salisbury, Van Voorhis, & Spiropoulis, 2009; Van Voorhis, 2012). Feminist criminologists point to the distinctly gendered structural factors and oppressive systems that create pathways to criminalized acts amongst women, which may include socio-economic marginalization, experiences of violence, childhood trauma or patriarchy and systemic racism more broadly (Balfour, 2014; Chartrand & Kilty, 2018; Comack, 2014; Daly & Chesney-Lind, 1988; Hannah-Moffat, 2010; Pollack & Kendall, 2005).

While proponents of the RNR model claim that social learning theories are gender neutral and founded on principles that need not take gender differences into account, others argue that gender neutrality is an inappropriate and impossible claim in this context; indeed “malestream” theories of so-called criminality were originally developed by men and for men, and women’s unique socio-structural experiences were never taken into account (Daly & Chesney-Lind, 1988; Reisig, Holtfreter & Morash, 2002). Further, the ways in which women transition away from

criminalized acts also vary, but because the LSI-R requires measuring criminogenic risk factors in a yes or no format, it cannot “fully capture the diversity of circumstances shown to encourage desistance from crime” (Holtfreter & Cupp, 2007, p. 366). Ultimately, we see the problematic ways in which women are governed through the supposed objective, scientific risk assessment tools used in prisons.

I have argued that conceptualizing women in terms of their risks and needs is problematic as it fails to consider the social contexts and structures that shape their lives and behaviour (Pollack, 2010). Women’s risks have not only become conflated with their needs, (described above as the hybridization of risk/need [Hannah-Moffat, 2005]) but their risk level has also become the way to operationalize and quantify the degree of threat posed to the institution and to systematically supplement and reshape the approaches used to govern women (Kilty, 2006). Through CSC’s “empowerment” rhetoric, we see that women are directed to manage their own risk through self-governance by assuming responsibility for their welfare; their assessed risks (statistically formulated) therefore become the central feature of punishment (Balfour, 2014; Hannah-Moffat 2001, 2005, 2013; Pollack, 2009, 2010). In this model, women must be accountable for their past choices and their dynamic risk factors (or criminogenic needs) with little to no consideration of the conditions under which they must make these decisions.

The responsivity principle of the RNR model – or the ways in which treatment and intervention are used to target prisoners’ risks and needs – is mobilized through correctional programming and mental health intervention vis-à-vis cognitive behavioural strategies and dialectical behaviour therapy. Again, in order to manage and minimize their risks, women are responsabilized to self-govern within these interventions; self-government thus entails measured expectations set by institutional authorities that critics have described as inherently gendered

(Dell et al., 2009; Hannah-Moffat, 2001; Kilty, 2012a; Pollack & Kendall, 2005). Women who present with mental health needs, who display disruptive behaviours, are emotional, or who engage in self-injurious behaviours are often classified as high risk/need and experience increased levels of use of force, segregation time, and psychotropic medication prescriptions at higher rates than women who are assessed at a lower risk level (Hannah-Moffat, 2010; Kilty 2006; Zinger, 2018). Labelling women as high risk/need thus allows the institution to regulate prisoners through more invasive surveillance practices and extra-punitive security management protocols, such as strip- and body-cavity searching and the use of segregation for prisoners who are engaging in self-injurious behaviour (Kilty, 2012a, 2014a). Through cognitive behavioural and dialectical behaviour-based programming, women's risks and needs become targets of responsive change through programming intervention.

### **Cognitive Behavioural Therapy**

Cognitive behavioural therapy (CBT) is a psychological intervention that targets “faulty thinking patterns” and the resulting behaviours that cause distress (Chawathey & Ford, 2016). It was developed in the early 1960s by Aaron Beck, who initially presented it as a method of treating depression (Beck & Beck, 2011). Cognitive behavioural therapy is based on the idea that when people are experiencing psychological disturbances, they “learn to evaluate their thinking in a more realistic and adaptive way, they experience improvement in their emotional state and in their behaviour” (Beck & Beck, 2011, p. 3). For example, someone who is suffering from depression is instructed to think past their overgeneralized thoughts and to think further about the validity of their ideas; subsequently, they will be able to view their experience from a new perspective, leading to more functional, adaptive and pro-social behaviour (Beck & Beck, 2011).

Due to its effective, intensive, and problem-oriented nature, this psychotherapeutic approach has become a common treatment regimen for those who are said to have a psychological condition, including mood disorders, anxiety disorders, eating disorders, and substance use disorders (Rector, 2010). CBT is intended to guide individuals to think differently about what is happening around them and the subsequent effects of these emotional experiences (Rector, 2010). “In CBT, you learn to identify, question and change the thoughts, attitudes, beliefs and assumptions related to your problematic emotional and behavioural reactions to certain kinds of situations” (Rector, 2010, p. 3). CBT has been found to be effective because it is structured, problem-focused, and teaches evidence-based strategies and skills for helping individuals who are experiencing problems with their thinking patterns (e.g., catastrophic thinking for individuals who experience mental distress related to anxiety) and subsequent behaviour (Rector, 2010). It is understandable that CBT would be used for persons suffering from mental distress to combat the potentially invasive thoughts they find challenging to cope with. The use of CBT in prison programming, however, becomes complicated by the power relations that structure carceral institutions and by the structural disadvantages that prisoners face in the community.

Cognitive behavioural therapy is the primary form of intervention for prisoners with mental health concerns and serves as the framework for correctional programming. Proponents consider it to be an effective, evidence-based practice and “what works” in terms of altering the “criminal mind” (McGuire, 1995, 2002). CBT in prisons is rooted in social learning theory, which assumes that prisoners “have failed to acquire certain cognitive skills or have learned inappropriate ways of behaving” (Lipton, Pearson, Cleland, & Yee, 2002, p. 80). Those who advocate for CBT in Canadian prisons contend that its use is necessary to reform prisoners’

illogical thinking, inappropriate reasoning, and irrational decision-making, claiming that it will reduce reoffending upon release (Carlen & Worrall, 2004; Lipton et al., 2002; McGuire, 2005; Pollack & Kendall, 2005; Schlosser, 2015). CBT is, in fact, the framework that structures the Women's Offender Correctional Program Continuum and Circle of Care and is consistent with the RNR model. While CBT is not necessarily used to target and treat the individual mental health needs of prisoners, it is deliberately deployed to rehabilitate the faulty thinking that prisoners are assumed to have – at its core is the intention to restructure distorted cognition and to teach prisoners to unlearn their “deviant” thought patterns (Carlen & Worrall, 2004; Hannah-Moffat & Shaw, 2000). CBT is used in prisons to target issues such as substance use, trauma, dysregulated and unmanaged emotions, anti-social relationships, and the “choice” to engage in criminalized behaviour more generally. Within this approach prisoners are instructed to take responsibility for their actions and to reject a victim label in order to acknowledge the consequences of their actions (Schlosser, 2015). Even though their victimization may be the result of gendered violence, structural and interpersonal racism, or socio-economic marginalization such as poverty and homelessness, women are nevertheless instructed to be accountable for circumstances they have no control over.

A study conducted by Schlosser (2015) reveals the problematic nature of using cognitive behavioural programs in prison. In an endeavour to study prisoner identity and how prisoners perform their various “selves” in prison, Schlosser (2015) discovered an underlying narrative in her qualitative data, namely that prisoners qualified their experiences as a direct result of their own choices, which was an unresolved tension that developed from participating in mandatory cognitive behavioural programming. Indeed, she found that the overarching narrative of the program was one of neoliberal responsabilization. The result is what the author termed

“discursive discipline,” an effect of CBT and its responsabilization tactics, where prisoners told their individual stories in ways that were tailored to, indeed rewritten for, the experts whose unquestionable “Truths” became the themes upon which prisoners structured their narratives. These themes were based on individualism, personal responsibility, and myths of equality (Schlosser, 2015). It was also found that prisoners were subsequently “controlled by the threat of punishment lest they not accept this meta-narrative in spite of all the evidence they have experienced over their lifetimes to contradict it” (Schlosser, 2015, p. 4).

While Schlosser’s (2015) research was conducted in the United States and in prisons for men, the same critique rings true in Canadian prisons for women. In fact, CBT was integrated into prison programming for women from a model initially developed for male prisoners (Kendall, 2002; Kilty, 2012a; Pollack & Kendall, 2005). One of the core assumptions is that deploying CBT programs that are aimed at restructuring thinking patterns amongst a diverse group of prisoners “assumes that therapeutic results apply universally across all class, racial, ethnic and age lines to treat inmates’ problems effectively” (Schlosser, 2015, p. 13). These programs also assume that all prisoners suffer from dysfunctional and distorted cognitions, which renders invisible any individual and structural context (Hannah-Moffat, 2004b; McCorkel, 2003; Pollack & Kendall, 2005; Schlosser, 2015).

Assuming that prisoners can be cured of their disordered thinking and behaviour conflates ideas of recriminalization with a behavioural disorder that can be cured or rehabilitated with therapy. Leaving aside questions about the relative value of CBT in the carceral context, to encourage individuals to think in different ways is not inherently problematic; however, one must question the use of cognitive behavioural program as “what works” to rehabilitate prisoners

of their “faulty” thinking and behaviour, devoid of contextual considerations of the oppressions that structure an individual’s decision-making.

Research also demonstrates that the self-regulatory processes that are involved in cognitive behavioural programming are specifically gendered in the context of women’s prisons. Criminalized women are characterized as unable to control their emotions and therefore as in need of psy-intervention (Pollack & Kendall, 2005). Women’s needs are reconfigured as risk factors for “recidivism” and as a threat to their rehabilitation potential (Kilty, 2012a; Pollack & Kendall, 2005). To be “cured” of their distorted thinking, women must participate in cognitive behavioural programming, where treatment is linked to their risk level. While CBT is the framework for correctional intervention for both men and women, dialectical behaviour therapy is also available as a mental health intervention in women’s prisons specifically.

### **Dialectical Behaviour Therapy**

For imprisoned women who display mental distress, dialectical behaviour therapy (DBT) has become the predominant form of “cognitive restructuring.” DBT was developed by Marcia Linehan (1993) in the early 1990s as a strategy to treat borderline personality disorder, a disorder that was increasingly being diagnosed at the time and was thought to be highly difficult to treat (Linehan, 1993). Borderline personality disorder did not appear in the *Diagnostic and Statistical Manual of Mental Disorders*<sup>8</sup> (DSM) until the third edition in 1980; its diagnostic criteria include behavioural, emotional, and cognitive instability and dysregulation. It is more specifically characterized by extreme emotionality, impulsivity, manipulative and aggressive behaviour, dichotomous thinking, confused identity, self-injurious behaviour, and suicidal ideation

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<sup>8</sup> The *Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition* is the classification manual developed by the American Psychiatric Association (2013), used by psy-experts as a standardized diagnostic tool.

(Linehan, 1993; Pollack & Kendall, 2005). While borderline personality disorder is not officially a woman-specific psychiatric diagnosis, the DSM-V reports that 75% of individuals who are diagnosed with this personality disorder are women, many of whom have experiences of PTSD and an overwhelming majority of whom have been physically or sexually abused (American Psychiatric Association, 2013; McLean & Gallop, 2003).

Keinänen, Johnson, Richards, and Courtney (2012) conducted a systematic review of the literature on the existing evidence-based risk factors of borderline personality disorder. The authors report five primary psychosocial risk factors that are associated with the disorder: (1) Individuals diagnosed with this disorder often report a history of severe childhood traumas and sexual abuse; (2) it is associated with a history of problematic parenting in childhood; (3) individuals show evidence of hostile object relations; and (4) tend to have insecure attachment relationships (Keinänen, 2012). It is noteworthy that such great emphasis is placed on severe childhood trauma – arguably, it is understandable that the unmet needs of trauma survivors would continue to manifest in different ways throughout an individual’s life, but it should not indicate an inherent flaw to be managed or distorted thinking to be fixed. In support of this position, many feminist scholars are critical of borderline personality disorder, asserting that it is a gendered diagnosis and logic of regulating trauma and distress.

Critical feminist researchers argue that borderline personality disorder has historically been a “woman’s diagnosis,” as it is characterized by features that are stereotypically associated with womanhood – over-reactivity, extreme emotion, self-dramatization, excitability, irrationality, and impulsiveness (Becker, 2000; Becker & Lamb, 1994; Jimenez, 1997; Shaw & Proctor, 2005; Ussher, 2011; Ussher, 2013) – features that are “irrevocably tied to what it means to be a woman” (Ussher, 2011, p. 81). Ultimately, women’s expressions of emotions are

considered a pathological flaw in their personalities (Becker, 2000; Jimenez, 1997; Ussher, 2011, 2013). This diagnostic label is problematic because it decontextualizes women's behaviour, remaking it as an inherent kind of irrationality (Pollack, 2004). However, given that women are more subject to the psy-medical gaze than are men, labels of borderline personality disorder and the accompanying psy-interventions are unsurprising (Kilty, 2012; LeBlanc, Kilty, & Frigon, 2015; Ussher, 2011).

According to Linehan (1993), dialectical behaviour therapy involves the “application of a broad array of cognitive behavior therapy strategies to the problems of [the disorder], including suicidal behaviours” (p. 19). Linehan (1993) further adds,

In a nutshell, DBT is very simple. The therapist creates a context of validation rather than blaming the patient, and within that context the therapist blocks or extinguishes bad behaviors, drags good behaviors out of the patient, and figures out a way to make the good behaviors so reinforcing that the patient continues the good ones and stops the bad ones. (p. 97)

It differs from CBT in that there is less emphasis placed on using cognitive methods and more focus on the learning and practicing of new skills, balancing change with acceptance, the therapeutic relationship, and mindfulness (Amner, 2012; O'Connell & Dowling, 2014; Linehan, 1993). DBT's primary emphasis is on “dialectics,” as its name would suggest. In other words, “the reconciliation of opposites in a continual process of synthesis” (Linehan, 1993, p. 19). One fundamental aspect of this, according to Linehan (1993) is accepting patients as they are while also trying to teach them to change. Skills such as emotion regulation, interpersonal effectiveness, distress tolerance, core mindfulness, and self-management are the key target problem areas that are addressed in DBT treatment. Mindfulness involves being attentive to the present moment and focusing on self-dysregulation and identity confusion by emphasizing self-awareness (Linehan, 1993). Traditional methods of DBT include weekly one-to-one sessions,

skills group training and access to individual therapists (O’Connell & Dowling, 2014). There is research to suggest that DBT is effective in reducing self-harm and suicidal tendencies and other features of borderline personality disorder (Koons et al., 2001; Linehan, 1993; Linehan et al., 2006; O’Connell & Dowling, 2014). Notably, many studies that are conducted to demonstrate effectiveness involve women, again reinforcing the gendered regulation of women’s emotions and the gendered stereotypes that underpin their distress.

### ***DBT in Federal Prisons for Women***

DBT was implemented in federal prisons for women in 1997 by CSC as per the *Mental Health Strategy for Women Offenders* (Laishes, 2002; McDonagh & Taylor, & Blanchette, 2002). DBT has been adapted for incarcerated women specifically, as there is a purportedly high incidence of personality disorders (borderline personality disorder especially) in forensic populations (Derkzen et al., 2012). It is further considered to be a comprehensive cognitive-behavioral treatment that “addresses faulty cognitions [and] has been used successfully with incarcerated offenders” (Berzins & Trestman, 2004, p. 96). DBT in prisons is intended to alter thoughts, feelings, and behaviour by teaching strategies of emotional, cognitive, and relational regulation (Blanchette, Flight, Verbrugge, Gobeil, & Taylor, 2011; Laishes, 2002). It is considered suitable for individuals with “high emotional distress and [who are] exhibiting a combination of difficulties characterized by self-destructive and/or suicidal behaviour, emotional dysregulation, severe interpersonal relationship problems, unstable and low self-image, and cognitive disturbances and distortions” (Laishes, 2002, p. 28). Currently in federal prisons for women, “Comprehensive DBT” is only offered as a therapeutic intervention for individuals who reside in Structured Living Environments (SLE)<sup>9</sup>, while women in the general population are

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<sup>9</sup> SLE units exist at all regional facilities for women to house those deemed to have special needs and/or serious mental health problems. They are designed to accommodate minimum and medium security prisoners

offered “General DBT” and maximum security women are offered “Secure DBT” (Blanchette et al., 2011). Despite these claims that CSC offers DBT to all prisoners as a separate therapeutic intervention to the general population of women prisoners and to those in maximum security (which come directly from a CSC research report), this has not been stated in any other publication regarding programming or mental health. What is now evident after acquiring CSC records, conducting interviews with formerly incarcerated women, and engaging in email correspondence with staff at CSC, is that DBT programs are strictly reserved for those who reside in the SLE. As opposed to dedicated DBT programs for the general population, DBT strategies and tools are deployed in and through women’s programming alongside CBT methods with the intention of correcting behaviour, regulating emotions, altering faulty thinking, and requiring women to be accountable for past victimization.

Feminist criminologists, however, are critical of the use of DBT in prisons for women. By being able to control their emotions, women prisoners are supposed to be more likely to control their behaviours and improve their relationships; this concept, however, inherently reinforces the gendered stereotype and expectation that imprisoned women are inherently irrational, overly emotional, and influenced by their interpersonal relationships (Kilty, 2014a; Pollack & Kendall, 2005). As Pollack and Kendall (2005) argue, one of the foundational components of DBT, distress tolerance, is particularly concerning in a prison context. Individuals who partake in DBT are taught to skillfully learn to bear their pain as well as to “tolerate and survive crises,” and “accept life as it is in the moment” (Linehan, 1993 p. 96). Teaching women in prisons to tolerate their distress inherently requires them to accept their oppressions, be accountable for their trauma, ignore their mental health needs, and would constrain their ability

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who require 24-hour supervision and are for small groups of prisoners who would benefit from a therapeutic living environment and receiving intensive intervention.

to engage in resistance strategies (Pollack & Kendall, 2005). We must continue to challenge how incarcerated women experiencing mental distress are constructed and treated such that we “not only acknowledge the contradictions of therapy within prisons, but actively challenge the individualization and pathologization of women’s behaviours” (Pollack & Kendall, 2005, p. 83).

### **The Evolution of Correctional Programming for Women**

Thus far, I have argued that the risk-need-responsivity model is the governing logic used in the carceral context and is how prison authorities make sense of women. During the development of the RNR model and related risk assessment instruments, the discourse of how to better respond to women in prisons shifted concurrently. To contextualize and understand this shift, the focus of the chapter will now transition to discuss and explore the development of women’s programming as it relates to gender responsivity. Feminist criminologists have examined, and are critical of, the implications of gender responsivity in programming for women and the narrowly defined uses of gender therein, the psy-interventions used for women prisoners to manage their distress, and the problematic nature of cognitive behavioural interventions (Gobeil, Blanchette, & Stewart, 2016; Hannah-Moffat, 2010; McCorkel, 2003; Kilty, 2006, 2012a; Pollack, 2009, 2012; Pollack & Kendall, 2005). While this research has been instrumental in understanding the correctional process for women, much of it is outdated and none of it examines the current programs that women prisoners are required to take.<sup>10</sup> Accordingly, this project helps fill this gap in the literature as it examines the content and direction of CSC’s programming modules in women’s corrections and how they frame experiences of mental distress in prison.

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<sup>10</sup> To my knowledge, I am the first researcher to acquire CSC’S women’s correctional programming modules and training manuals. The authors listed here have analyzed the programming from a qualitative, experiential standpoint but have not conducted a textual analysis of the documents I have secured.

The literature reveals that, historically, programming for federally sentenced women has been based on gendered assumptions about women, something the current project has continued to investigate. One may conclude that part of the reason for the limited research on correctional programming for imprisoned women is because women make up a far smaller percentage of the federal prison population than do men (Gobeil et al., 2016; Hannah-Moffat, 2004b), comprising only 8% of the total admissions to federal prisons (Public Safety Canada, 2016). While women's programming at the federal level has evolved throughout the years, a critical analysis reveals a problematically misinformed development. Early studies demonstrate that correctional programming in Canada was only somewhat effective at reducing recriminalization, or "recidivism," despite it being CSC's overarching programming goal (Andrews et al., 1990; Harris et al., 2015). Programming in Canadian prisons at this time was designed for *all* prisoners regardless of their gender or race and did not consider the distinct differences between men's and women's criminalization that relate specifically to social and environmental factors (Bloom, Owen, & Covington, 2004; Gobeil et al., 2016).

Women's programming was modeled after programs that were originally created for men, which disregards the complexity of women's criminalization, particularly how their intersectional identities may be linked to their criminalized acts (McCorkel, 2003; Pollack & Kendall, 2005). Nevertheless, implementing gender-neutral programming was seen to be the effective form of intervention in corrections until the early 1990s, despite the profound differences in "offending patterns," risk levels, and pathways to criminalized acts (Bloom et al., 2004; Covington & Bloom, 2006; Gobeil et al., 2016). Women's experiences of motherhood, trauma, sexual abuse, violence, mental health concerns, race and socio-economic conditions were not considered, even though these factors are connected to women's criminalization

(Gobeil et al., 2016). In the 1990s, the distinct differences between women and men's criminalization became part of the penal policy conversation, and programming for women changed.

As a response to the Task Force on Federally Sentenced Women's (1990) report *Creating Choices*, CSC accepted that penal policy and practice for women's prisons required profound change. It was for this reason that CSC altered programs for women to better reflect gender responsive principles that were recommended by the Task Force (Fortin, 2004; Hannah-Moffat, 2010; Harris et al., 2015; Pollack, 2009, 2012). For example, *Creating Choices* discussed how women must have better access to and relationships with their children in prisons, which then informed the development of parenting accommodation. This occurred concurrently to a broader, conceptual shift in women's penalty across the world that reflected a gender responsive model of punishment and related policy (Bloom et al., 2004; Hannah-Moffat, 2010). Those who advocate for this approach argue that implementing gender-based policies, programs, and procedures improves a prison's effectiveness, alters its risk-need assessment and classification instruments (for the better), increases its resources, and improves staff turnover, program delivery and overall services for imprisoned women (Bloom et al., 2004; Hannah-Moffat, 2010). To be gender responsive, by CSC standards, means that correctional programming for women is holistic, women-centred, and acknowledges their diversity in a supportive environment (Harris et al., 2015; Covington & Bloom, 2006; Pollack, 2009, 2012; TFFSW, 1990). Using a gender responsive approach to programming is intended to address women's unique experiences including, previous trauma and victimization, substance use, mental health concerns, self-harm, self-esteem, low educational levels, and unhealthy relationships (Covington & Bloom, 2006; Harris et al., 2015).

## **The Gender Responsive Model**

Gender responsive programming has met little resistance or critique from internal correctional researchers; it is purportedly based on empirical findings of gender differences, the use of diverse methodologies, including engaging with criminalized women in interviews and ethnographic observation, and is rooted in feminist theoretical concepts such as empowerment (Bloom et al., 2004; Hannah-Moffat, 2010). Gender responsiveness, however, “has produced new targets and strategies of governing women...[resulting] in conceptual and practical difficulties” (Hannah-Moffat, 2010, p. 195). Gender has indeed been acknowledged yet it is ultimately defined using narrow constructs based on normative assumptions and gender stereotypes. For example, intersectionality – the consideration of multiple interlocking factors that contribute to social exclusion such as race, ethnicity, class, and sexuality (Crenshaw, 1989) – is not addressed as a factor that contributes to structural oppressions for criminalized women. The gender responsive approach to penal policy and programming instead pivots on stereotypes and gender scripts that characterize women dichotomously as both “risky” and “at risk” – on one hand they are victimized, maternal, nurturing and disadvantaged and on the other they are risky, hedonistic, irresponsible, and undisciplined “offenders” in need of change (Hannah-Moffat, 2010; Law, Mario, & Bruckert, 2020; Pollack, 2009).

The result, then, is that imprisoned women are problematically viewed not as individuals needing support but instead as risks that must be managed (Hannah-Moffat, 2010; Pollack, 2009). Indeed, as Hannah-Moffat (2010) argues, “Relationships, children, past victimisations, mental health, self-injury and self-esteem have all become correctional targets in the pursuit of normative femininity and gender conformity” (p. 201). Despite the call for reform in *Creating*

*Choices* and the focus on women-centred penal policy and programming, ongoing systemic problems remain for which gender responsiveness has not been the answer.

A further example of this failure is seen in the prison programs that women were subject to following the initial implementation of the women-centred penal policy that was spearheaded by the TFFSW in the 1990s. Rather than addressing the unique needs of women including their histories (of violence, abuse, and trauma), life circumstances (of precarious employment and mental health concerns), and structural oppressions (such as racism, sexism, classism, heteronormativity), women-centred programming was created in the interest of gender conformity and normative femininity, which further decontextualizes their experiences (Hannah-Moffat, 2001). Women were given programming opportunities to enhance life skills in vocational training and prison employment; however, their vocational skills and prison work were based on gender tropes about what appropriate work is for women. Women participated in vocational programming that included cooking, cleaning, textile-related work, hairdressing, and sewing, while men's work included physical and industrial prison work options (Bosworth & Carrabine, 2001; Hannah-Moffat, 2001; Morash, Haarr, & Rucker, 1994; Pollack, 2009). The seemingly women-centred programs that were created to better respond to gender differences served to further entrench the gender stereotypes upon which the programs were built. It is noteworthy that little has changed with regard to gendered employment opportunities – the Office of the Correctional Investigator (2020) found that institutional employment opportunities for women remain highly gendered, where women are employed overwhelmingly (84%) in the textile business, and rarely in “male-oriented” jobs such as construction and manufacturing (where 15% and 1% respectively of these positions employ women prisoners).

Although the gendered nature of correctional programming unmistakably perpetuates gender stereotypes and tropes, at the very least it focuses on the various needs and issues that women face (i.e., substance abuse programming was separate from anger and emotion management). While it was still premised on a risk-need-responsivity model that targeted emotional regulation and the cognitive (dis)functioning that contributes to “criminal behaviour,” programming prior to 2010 involved mental health intervention for *all* prisoners, for example the Women Offender Substance Abuse Program and its related needs-based modules, the Women’s Violence Prevention Program, and the Indigenous-focused *Spirit of a Warrior* program (Fortin, 2004; Matheson et al., 2008). These programs were said to have provided a holistic framework for healing that targeted risk factors and individual needs (Fortin, 2004). While the individual-focused programs centred around the factors that were supposedly linked to criminal behaviour, other programs and interventions were offered that addressed lifestyle and “safe integration” into society (Fortin, 2004, p. 39). Education, employability, and social programs (e.g., Community Integration, Leisure, Education, Parenting Skills, and Canine Programs) allowed women to participate in activities that encouraged healthy living and increased pro-social choices that eventually would allow for the transfer of skills learned in prison to the community where women could be “productive members of society and law-abiding citizens” (p. 39).<sup>11</sup>

### **Present Day Programming**

In the fiscal year of 2010-11, CSC implemented a new approach to programming for women. A comprehensive model of programming that is said to incorporate gender responsive

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<sup>11</sup> It is important to note that these types of programs were not necessarily removed but rather reconfigured. In a predictably neoliberal fashion, CSC outsourced these programs to community organizations. While many still exist, women I interviewed for this project described programs not being offered consistently or removed entirely, and their participation in them was threatened as a punishment (women tend to enjoy these programs as they are not run by correctional staff, so when there is an “issue” the program is no longer offered or correctional staff prohibits the prisoner from participating).

practices and the RNR model, entitled “Women Offender Correctional Programming” (hereafter WOCP), is now considered to be “what works” in Canadian prisons for women (Harris et al., 2015). With the goal of creating a holistic, women-centred model, CSC’s approach is said to remain gender responsive by taking into account a wide range of complex needs that imprisoned women face, such as substance abuse, experiences of violence and trauma, emotional regulation, and relationships (Harris et al., 2015). Rather than hosting a series of individually run, content-specific programs, the new approach to prison programming exists on a continuum, where the intention is to “link the programs together using consistent concepts and skill-building objectives. . . [allowing] in-depth skill development through the course of the program continuum” (Harris et al., 2015, p. 4). Women are streamlined into programs that match their risk level and are required to partake in intensive modular learning – in other words, it became a “one size fits all” approach.

The remaining section of this chapter details the current programming process for federally sentenced women. It is important to note, however, that the following information is presented according to publicly available research conducted internally by CSC.<sup>12</sup> The process begins at intake, during which a risk/need assessment is administered. Following the assessment, a designated path is set out for women, all of whom must begin by taking the *Women’s Engagement Program* (Harris et al., 2015). The Women’s Engagement Program is a low-intensity program consisting of twelve sessions, where the goal is to “enhance participant motivation for change” by working on social skills, identifying problematic behaviours, and introducing the concept of self-management (Harris et al., 2015, p. 5). For women who have

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<sup>12</sup> A comprehensive map and more holistic image of this process, according to my data and findings, is outlined and discussed in chapter five. The intent in this chapter is to give a general idea and systematic outline of what the programming process looks like as reported by CSC and its research branch.

been designated as low to high dynamic risk and moderate to high static risk, the *Women's Moderate Intensity Program* follows on the continuum where pro-criminal attitudes and associates, relationships, self-awareness, and managing emotions are the rehabilitative targets. Over the course of 40 sessions, women are required to build on the skills learned in the Engagement Program while focusing on enhancing their coping strategies to “address problematic behaviours linked to crime and to promote a crime-free lifestyle” (Harris et al., 2015, p. 5). The *High Intensity Program* is the third option on the WOCP continuum and is for women who have been assessed as high risk and high needs. This program is 52 sessions long where the goal is for women to work on their ability to lead a crime-free lifestyle. The targets of this program are consequential thinking, decision making, self-management and emotional regulation, healthy relationships, and conflict resolution. The *Women's Self Management Program* is the final part of the continuum; it is comprised of twelve sessions and is offered in both the institution and the community. To participate, women must have completed the prerequisite Women's Engagement Program and commit to “maintain[ing] positive change in their lives” (Harris et al., 2015, p. 5). This program focuses on enhancing effective communication skills, processing change, and effective goal setting.

Harris and colleagues' (2015) study of the effectiveness of prison programming for federally sentenced women – notably conducted by and for the Correctional Service of Canada – demonstrates that women who participated in programming achieved the intended goals of knowledge acquisition, attitude change, and skill development. In more critical terms, prisoners managed to engage in neoliberal techniques of responsabilization and technologies of the self to engage in self-management strategies, regulate their emotions, and improve their relationships. Although the study considers the WOCP continuum to be successful, it did not find that the

program had a significant impact following release from custody.<sup>13</sup> Harris et al. (2015) found only a moderate outcome of difference for those who completed the program as opposed to those who did not – of those who completed the programming 18.8% returned to custody (as compared to 37% of non-program completers) and for Indigenous women specifically there was no impact on release outcomes (Harris et al., 2015). Moreover, there are significant waitlists and dropout rates in the WOCP continuum, especially for Indigenous women (whose programming is supposed to be culturally-specific, entitled “Aboriginal Women Offender Correctional Program”), who were twice as likely to fail to complete the Women’s Engagement Program (the initial stage) as non-Indigenous women due to “offender-related factors” such as placement in segregation, being placed in higher security or being removed from the program (Harris et al., 2015).

Overall, CSC considered the programming to be successful in improving skills deemed necessary for reintegration, but was not found to impact reoffence rates following release (Harris et al., 2015). Notably, the Office of the Correctional Investigator recently reported that programming for federally sentenced women has “delivered disappointingly poor results” and needs to examine its program content and delivery methods more closely “to determine why they do not appreciably improve community outcomes (Zinger, 2021, p. 38-39). The report goes on to say that CSC is ultimately failing women on “one of the main goals of corrections, which is to provide those in its care with effective rehabilitative programs” (Zinger, 2021, p. 39).

It is important to note that all evaluations conducted on CSC programming effectiveness have been done by the Service itself; one must question this conflict of interest and the likeliness

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<sup>13</sup> According to Harris et al. (2015), “Differences of less than 10 percentage points between groups were considered weak; those of 10-30 percentage points were considered moderate, and those above 30 percentage points were considered strong” (p. 12).

of CSC to publish findings that demonstrate flaws in their system or program ineffectiveness. Perhaps even more troubling is that CSC evaluation research neglects assessing women's mental health outside of requiring them to take responsibility for their own emotions and "criminal thought patterns." There is little to no consideration of women's intersecting identities (race, class, gender, sexual orientation, etc.) and the interlocking systems of oppression (patriarchy, capitalism, colonialism, etc.) that contribute to their criminalization and their mental distress. Additionally problematic as it relates to the focus of this project, is the grouping of all risks, needs, and targetable skills into one style of programming – indeed, women with general mental health concerns who do not qualify for DBT programming are not given programming that specifically addresses their distress. Instead, their needs are subsumed within a program that requires them to engage in responsabilization strategies to manage their own risk, which is the ultimate goal of rehabilitative programming (Hannah-Moffat, 2010; Kendall, 2000; Pollack, 2009; Pollack & Kendall, 2005).

While the WOCP continuum targets women's criminal behaviour as it relates to reintegration and rehabilitation as per the risk-need-responsivity model, prisoners may also be offered other interventions that are "voluntary" in nature. Some of these additional programs are partnered with CSC, such as CORCAN and institution-specific employment opportunities, with the rest being outsourced to community-based organizations, including various skills training (first-aid or WHMIS certificates), education programs (Adult Basic Education, GED), chaplaincy, and various social and recreational programs (Wilton & Stewart, 2015).

Rehabilitation is the fundamental goal of correctional programming, which aims to reduce rates of recriminalization and facilitate "safe" reintegration into society (Harris et al., 2015; Zinger, 2017). CSC is required by federal legislation, the *Correction and Conditional*

*Release Act* of 1992 (s.86), to “provide essential health care, including medical, dental and mental health care, and reasonable access to non-essential mental health care that will contribute to the *inmate’s rehabilitation and successful reintegration into the community*” (emphasis added). To rehabilitate is to restore to a former capacity, former state or to a condition of good health. It is a term that CSC mobilizes in and through policy discourses and is presumed to be an achievable state. The mobilization of rehabilitative interventions in federal prisons, however, is arguably paradoxical in nature.

To assume restoration is possible is based on a presumption that one’s former capacity was positive and in need of returning to, which can ignore the structural barriers that criminalized women encounter. It is problematic to assume that women’s behaviour and thinking patterns can be rehabilitated while the structural context that contributed to their criminalized acts does not change. In an institution that constricts freedom, regulates and controls behaviour, pathologizes unfeminine and resistant behaviours, and whose primary intent is punishment for wrongdoing, rehabilitation is difficult to operationalize, successfully execute, or even to imagine (Dell et al., 2009; Moore & Hannah-Moffat, 2005). Indeed, this version of rehabilitation appears more as McCorkel’s (2013) conceptualization of *habilitation*, a “distinct power/knowledge apparatus” where the objective is “not to repair or restore a self that has been damaged; rather, it is to ‘break down’ a self that is incomplete and disordered. In this sense, the endgame of habilitation is not to normalize the deviant self, but to manage the unruly one” (p. 17).

The target of rehabilitation as an achievable state ignores the many intersections of oppression that women prisoners live on a day-to-day basis (Moore & Hannah-Moffat, 2005). By mobilizing an empowerment narrative from *Creating Choices*’ women-centred approach, CSC requires prisoners to be prudential subjects who are responsible for their own “success” through

self-governance and the management of their risks and needs (Hannah-Moffat, 2000; see also O'Malley [1996] for a full discussion of prudentialism, the responsabilization of an individual to manage their own personal and potential risk). In this way, CSC does not rehabilitate prisoners; rather, it provides the opportunity for and facilitates the process of self-chosen and self-managed change by targeting emotions, relationships, and faulty thinking – inherently individualized and gendered targets of modification – and through technologies of power that are habilitative, not rehabilitative (McCorkel, 2013; Pollack & Kendall, 2005). This is particularly salient when looking at the conceptualization of women's mental distress in prisons and how CSC targets mental health through psy-intervention. I revisit the concept of rehabilitation in chapter seven, where I unpack the rehabilitative discourses that underpin correctional programming for women.

### **Conclusion and Unanswered Questions**

The scholarship mobilized in this chapter grounds this project in the relevant topical literature. I began by providing a demographic profile of federally sentenced women and then explored mental distress in the carceral context, the prevalence of mental illness as reported by CSC, and how mental distress is regulated. The chapter then went on to discuss risk-need-responsivity assessment tools, the governing logics behind them, and related critiques. I highlighted the problematic and gendered nature of risk assessment and went on to outline the evolution of correctional programming for women.

What is absent from this sizeable body of literature is a critical feminist criminological investigation of the Women's Offender Correctional Programming Continuum and Circle of Care matrix and how it addresses and discursively constitutes women prisoners' overall mental wellbeing. Indeed, little is known about the specific program processes and practices – a gap I seek to fill with this project. There is an additional void in the literature when it comes to

examining the overlap of women's mental distress and their intersecting identities as it relates to mental health programming. While statistics indicate a troubling and disproportionate rate of incarceration for Indigenous women as well as the penal practices and policies that disproportionately affect them, critical engagement with these statistics is missing. What does the mass incarceration of Indigenous women in federal prisons mean for the way that their mental distress is uniquely constructed and regulated? It is for this reason that I endeavoured to conduct this study from an intersectional point of view, one that looks at gender, but also the discourses surrounding race, class, sexual orientation, and physical and mental (dis)ability as they relate to women's experiences of correctional programming intervention. The next chapter unpacks my theoretical framework.

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## CHAPTER 3 – Theory: A Feminist Governmentality Framework

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### Introduction

The previous chapter reviewed the literature to provide the scholarly context and justification for this research. I examined the current state of federal prisons for women and provided a demographic profile that highlighted the prevalence of mental health concerns. I also examined the risk-need-responsivity model and correctional programming through a gendered lens, which enabled me to situate these modes of governance as technologies of power that assess and regulate federally sentenced women. Finally, I systematically outlined and described the programming process in federal prisons for women and identified the problematically gendered nature of these procedures and practices.

This chapter shifts to ground the project conceptually in a theoretical framework. The objective of the chapter is to advance the two conceptual approaches that theoretically guide the project – the Foucauldian concept of governmentality and a gendered framework informed by the theoretical concept of intersectionality. By drawing on these two perspectives, I am positioned to closely examine how particular governance regimes (political rationalities and technologies of government), risk rationalities, and power/knowledge affect federally sentenced women in different ways. While part of the objective of governmentality studies is to uncover how discourse becomes a dominant “Truth” (Foucault, 1980), deploying this theoretical perspective through a feminist lens allows for critical engagement with how these “Truths” play out in the lives of criminalized women.

I begin the chapter by outlining a feminist perspective informed by intersectionality. I address intersectionality’s origins and critiques, then outline how I adopted a gendered lens to

supplement the second theoretical construct I take up, governmentality. The second part of the chapter explores the Foucauldian concept of governmentality, largely using the work of Peter Miller and Nikolas Rose, along with other key scholars who have contributed to governmentality studies. I conclude the chapter by layering these two conceptual approaches and presenting this framework as the theoretical “toolkit” for this project. In the conclusion, I delineate the importance of adopting both perspectives for this research and describe the contribution my work makes by using this theoretical framework.

### **A Feminist Theoretical Perspective**

It is imperative to conduct this research from a feminist perspective as this project explores the lived realities for women who have experienced incarceration. It is for this reason that I adopt a gendered lens that is informed by the concept of intersectionality. Before unpacking the concept of intersectionality in more detail, it is worth noting that while I initially intended to mobilize an intersectional lens as one of the main components of the theoretical framework, the data did not lend itself to a full intersectional analysis. I was unable to tease out how women’s various intersecting identities condition their experiences or how these are written into or ignored in the programming documents. While it is acknowledged in programs that women come from diverse backgrounds and correctional officers are trained to be responsive to women’s unique needs (including, for example, histories of abuse, mental distress, and poverty), these needs and women’s identities are not discussed in a meaningful, nuanced way, or even at all. Indeed, a discussion of women’s class or socioeconomic status, ability, sexual orientation, or any race other than Indigeneity is entirely absent from correctional programming materials for federally sentenced women, which is significant considering CSC’s emphasis on attending to diversity as per *Creating Choices*. This is a limitation of the data and of the research more

broadly. What is clear in the data, however, are the ways in which programs pivot on problematic gendered language and discourses as well as the troubling ways that Indigeneity is superficially addressed.

It is for these reasons that this project is rooted in a feminism that is *inspired* and *informed* by intersectionality, but which ultimately focuses on gender with specific attention paid to Indigeneity. In other words, the concept of intersectionality positioned me to be critical and to move beyond a simple “gender-based analysis” by attending to the ways in which oppression and marginality play out more fully in programming for women, which enabled me to disrupt CSC’s discourse around women’s diversity and uniqueness. Deploying an intersectionality-inspired gendered lens allowed me to consider systems and structures more broadly and how power circulates in and through programming to generate problematic gendered language and discourse. I begin with a detailed discussion of what intersectionality is and how it emerged, touching on some of the critiques and complexities of the framework; I then outline its importance for this research project.

The feminist movement has a long history and has (inevitably) shifted and evolved throughout the last hundred years. Most commonly discussed as evolving over three waves, feminism has certainly been fraught with tensions, setbacks, and conflict (Kilty, 2014b; Moore, 2008; Pierce, 2003), although it is without question responsible for the significant gains made by and for women in the last century. In the first wave, which occurred mainly during the 19<sup>th</sup> and early 20<sup>th</sup> centuries (and even in the late 18<sup>th</sup> century with women like Mary Wollstonecraft), women fought for their rightful place in society by way of securing the right to vote and to own property (Davis, 1983). The first wave was primarily orchestrated by white, middle-class, religious, and conservative women – meaning not all women “qualified” to be part of the

movement (Davis, 1983). Black women and their rights remained invisible to white suffrage groups during this campaign as “racism ran so deep in [this] movement that the doors were never really opened to Black women,” yet they continued to persist and resist (Davis, 1983, p. 145).

The feminist movement gradually shifted in the early 1960s with a new objective in the form of women’s liberation. Second wave feminists fought the political war for women’s legal and reproductive rights; they spoke out about and challenged gender stereotypes, patriarchy, gender discrimination in the workplace, as well as the expectations placed upon women to remain in the home. Yet, like the first wave, second wave feminists were generally middle-class, white women. Once again, women of colour were largely left out of the conversation. The movement did not recognize that a Black woman, for example, was subject to oppression based on both her gender *and* her race; once again she had to make a “choice” to either speak out about her experiences as a woman *or* as a woman of colour (Crenshaw, 1989). Rife with the same underlying issues that plagued the first wave (the lack of recognition of anything other than gender), it did not take long for this universal framing of women to come under fire. By the 1990s, and predominantly because of the work of Black and Indigenous women, the stage was set for the third wave of feminism.

Third wave feminists sought to address the shortcomings of previous waves. While they aimed to build on the socio-political work of the second wave, they also argued for an expanded framework with which to think about how the interconnectedness of different social identity categories condition one’s experiences of oppression (Crenshaw, 1989; Hill Collins, 2015). Feminist thought and practice fundamentally changed when women of colour and their white women allies began to challenge the idea that gender was the only factor that could determine a woman’s oppression (hooks, 2014). Led fiercely by feminist scholars and activists such as

Angela Y. Davis, Kimberlé Crenshaw, bell hooks, and Patricia Hill Collins, the third wave of the broader feminist movement sought to incorporate women of colour, working class women, and LGBTQ women to better recognize the importance of diversity and women's different positionalities. It was argued that oppression and discrimination, indeed even violence, were not solely the result of one's gender and were instead rooted in a matrix of interlocking oppressions (Crenshaw, 1991; Hill Collins, 2000).

Yet, feminism, even in its third iteration, remains complicated and a contentious concept politically, theoretically, epistemologically, and methodologically (Kilty, 2014b). In spite of the significant advances made by women and the evolution from second to third wave feminism, various camps of thought remain in stark contrast; for example, critical feminists (of which I identify as a scholar and in which this project is situated) are critical of mainstream governance and carceral feminists who advocate for institutional governance-based solutions that rely on the law, the police, and harsh punishment as answers to deep-seated, structural problems that can render invisible "othered" women (Bruckert & Law, 2018; Law et al., 2020). Comparatively, critical feminists recognize the need to address the systems which are at the root of women's intersecting oppressions; intersectionality is the foundation of this movement as it "allows for nuanced analyses and sheds light on the complex interplay between social and structural factors that condition women's individual and collective experience(s)" (Bruckert & Law, 2018, p. 6).

### **Intersectionality**

Intersectionality is the result of second wave feminism's exclusion of the perspectives of women of colour (Crenshaw, 1989; Johnson, 2005). Even 140 years later, when women of colour started to openly challenge the essentialism with which women were framed by second wave feminists, the words of Sojourner Truth at the 1851 Women's Rights Convention still ring true –

by asking, “Ain’t I a woman?” she challenged the normative framing of fragile white womanhood that was at the core of suffragism (Law et al., 2020). It was argued that by speaking of women in a universal way, feminists were replicating the same errors of “male-stream” thought by excluding Black women from both feminist theory and antiracist policy discourse, ultimately failing to acknowledge the interaction of race *and* gender (Crenshaw, 1989, 1991; Davis, 1983; Hill Collins, 1990; Johnson, 2005).

Kimberlé Crenshaw (1989) conceptualized the theoretical basis of this problem as intersectionality. She argued that focusing on the privileged “marginalizes those who are multiply-burdened and obscures claims that cannot be understood as resulting from discrete sources of discrimination” (p. 140). While its origins lie in critical race theory, to consider how race, gender and class intersect to create marginalization, the concept has evolved over time to include voices from the LGBTQ2S+ community and folks who experience various other forms of discrimination as a result of their intersecting identity locations (Johnson, 2005).

Intersectionality has been widely adopted to understand interlocking systems of oppression resulting from gender, race, class, sexual orientation, ethnicity, citizenship, and ability and how these are (re)produced through mutually interdependent power relations, social institutions, and socio-political structures (Crenshaw, 1989, 1991; Johnson, 2005; Hill Collins, 1990, 2015). While Crenshaw coined the term intersectionality, she was not the only Black feminist activist raising her voice about the lack of diversity in the feminist movement nor the only feminist scholar theorizing the idea at the time. In her book *Ain’t I a Woman*, bell hooks (1981) challenged mainstream second wave feminism’s ongoing silencing of Black women. Within the women’s liberation movement at the time, Black women were required to choose between their femaleness and their Blackness – those who allied themselves with the women’s

liberation movement were scorned and criticized by the Black community, but those who chose to fight against racism found themselves nevertheless caught up in the Black patriarchy among sexist Black men (hooks, 1981). Indeed, hooks (1981) states,

The term 'woman' is synonymous with 'white woman' and the term 'black' is synonymous with 'black men.' What this indicates is that there exists in the language of the very movement that is supposedly concerned with eliminating sexist oppression, a sexist-racist attitude toward black women. (pp. 13-14)

Patricia Hill Collins (2000) also focused her scholarship on employing intersectionality by recognizing that Black women remained at the margins of the feminist movement. She argued for the inclusion of Black women's voices in feminism and is a pioneer theorist in this field who questioned the power relations and structures, or interlocking systems, that condition a woman's oppression, and how these oppressions are organized (Hill Collins, 2000). Hill Collins's approach takes intersectionality a step deeper theoretically by expanding the framework to consider broader systems of power. While intersectionality as conceived by Crenshaw refers to the mutually constitutive relationship between individual identity categories (i.e., gender, race, class, sexual orientation, ethnicity, citizenship, and ability) and reminds us that oppression "cannot be reduced to one fundamental type, and that oppressions work together in producing injustice" (Hill Collins, 1990, p. 18), interlocking systems of oppression, on the other hand, mutually reproduce broader social, political and economic systems. These systems may include, for example, patriarchy, capitalism, colonialism, neoliberalism, ethnocentrism, heteronormativity, and cisnormativity (Bruckert & Law, 2018; Hill Collins, 1991).

Cho, Crenshaw, and McCall (2013) assert that there are three different approaches with which to engage an intersectional framework and suggest a more contemporary way to frame intersectionality – as an analytic sensibility. The first approach applies an intersectional analysis to interdisciplinary research topics so as to analyze the multiple, compounding ways that race

and gender may interact with class, for example (Cho et al., 2013). The second focuses on investigating intersectional discourses as theory and methodology (Cho et al., 2013, p. 785). Cho and colleagues (2013) assert that this includes, but is not limited to, “questions and debates about the way intersectionality has been developed, adopted, and adapted within the disciplines. It considers what intersectionality includes, excludes, or enables and whether intersectionality’s contextual articulations call either for further development or disavowal and replacement” (p. 785). This approach also attends to where and how a subject is institutionally or structurally constituted (Cho et al., 2013). Cho and colleagues (2013) argue that the third approach to intersectionality involves a multi-disciplinary framework that can be applied more broadly than an academic setting. Scholars and activists have shown how practice can inform theory and how theory can inform practice – intersectionality therefore can “embody a motivation to go beyond mere comprehension of intersectional dynamics to transform them” (Cho et al., 2013, p. 786).

As Cho and colleagues (2013) suggest, I mobilize intersectionality as part of a gendered framework as:

A way of thinking about the problem of sameness and difference and its relation to power. This framing—conceiving of categories not as distinct but as always permeated by other categories, fluid and changing, always in the process of creating and being created by dynamics of power—emphasizes what intersectionality does rather than what intersectionality is. (p. 795)

While Kimberlé Crenshaw deployed intersectionality as a theory in her discipline of critical-legal scholarship and considered power as exploitative, it has since been picked up by scholars from different disciplines as an interdisciplinary conceptual tool or lens. Feminist scholars have mobilized intersectionality in disciplines as diverse as philosophy, the social sciences, humanities, economics, and law; in theoretical orientations as different as phenomenology, structuralist sociology, and psychoanalysis; and in disciplines like feminism, anti-racism, queer

studies, and disability studies. These discussions have attended to the issues of difference and diversity and explored the interactions of multiple identity locations and how these interactions lead to different forms of subordination (Davis, 2008).

A gendered framework positions me to identify the different experiences of oppression and subordination that exist at the intersection of particular identities and systems, but this alone does not allow me to also consider the power relations and discourses that impact women's lived realities. In other words, I was interested in not only how a woman's intersecting identities – particularly gender and Indigeneity – contribute to her criminalization, the stigma she faces or the disadvantages that she is confronted with, but also in exploring more deeply the ways in which these identities and experiences are produced by power/knowledge and discourse.

Intersectionality is argued to be a broad theory and has been criticized for being vague, open-ended, and lacking in methodological definition (Davis, 2008; Nash, 2008). At the same time, intersectionality's ambiguous nature has “enabled it to be drawn upon in nearly any context of inquiry” (Davis, 2008; p. 77). For this research project, the open-endedness of intersectionality offers the ability to allow a gendered framework to include Indigeneity and to mobilize it in conjunction with governmentality to provide what I would argue is a more complete and robust theoretical framework. Indeed, a gendered analysis alone cannot produce a full understanding of how power circulates in the carceral context.

As intersectionality is inherently interdisciplinary, indeed having “an almost universal applicability” to understand social practice, individual and collective experiences, and cultural configurations (Davis, 2008, p. 72), yet is limited in addressing power relations at the intersections of marginality (Bomert, 2015), I take up a gendered lens inspired by intersectionality and alongside a Foucauldian a governmentality framework. Governmentality as

a theoretical perspective is also not without limitations. Governmentality studies have, for instance, been critiqued for not recognizing a “multiplicity of voices” and as “insensitive to social variation and social heterogeneity” (O’Malley, Weir, & Shearing, 1997, p. 505). In his work, Foucault’s focus was mainly on micro-politics, which failed to consider the implication of broader, macro structures (Bomert, 2015; Macleod & Durrheim, 2002). Additionally, he did not explore the implications of gender in his work – for example in *Discipline and Punish* he did not consider how prisoners’ experiences differed in relation to dominant constructions of masculinity and femininity (Macleod & Durrheim, 2002). In order to further nuance and problematize the interlocking systems of oppression that affect criminalized women, additional theoretical constructs must be mobilized in conjunction with an intersectional lens. Indeed, as Macleod and Durrheim (2002) have argued, “Foucault’s work on governmentality provides feminists with a broad-ranging and incisive theoretical tool for the analysis of gendered relations on a micro- and macro-level” (p. 1). In the next section I situate the value of considering intersectionality in the carceral context in order to set the stage for how it can be mobilized with governmentality.

### *Intersectionality in the Carceral Context*

Imprisoned women in particular experience the intersection of different forms of oppression that are tied to their various social identity locations, their gender being but one category. Pollack (2012) asserts,

The bold assertion that for *all* women (and men) gender is the most salient category of experience relegates racial and class oppression to a subservient position in the ‘mattering map’ and sweeps aside the wealth of anti-racist feminist scholarship that illuminates the effects of interlocking modes of oppression. (Pollack, 2012, p. 105; see also Hill Collins, 1990; Crenshaw, 1991; Razack, 1998)

Indeed, women in prison are marginalized in compounding ways – they are more likely to come from a lower socioeconomic background, have less education, have precarious employment

histories/are unemployed, are raising children as single mothers, and to have had experiences of sexual, physical, and emotional violence (Blanchette & Brown, 2006; Bloom et al., 2004; Chartrand, 2015; Derkzen et al., 2012; Kilty, 2012a).

The dynamics of intersectionality cannot be removed from history and there are many ways in which interlocking factors, conditions, institutions, structures, and politics contribute to the criminalization and imprisonment of women (Crenshaw, 2012). Crenshaw (2012) contends, “Beyond these structural and institutional intersections that contribute to the risk and consequence of punishment for women of color are discursive intersections that effectively marginalize, if not wholly erase, the significance of their vulnerability” (p. 1427). The intersecting oppressions federally sentenced women face are further complicated by power relations born from the neoliberal socio-political and economic transformations that have taken place in Western democracies that have resulted in the increasing criminalization and imprisonment of specific racialized, gendered, and classed populations (Balfour, 2006). While Crenshaw’s work primarily focuses on women of colour at the margins, for this project it is essential to examine the many intersecting identity points that shape how women in Canada come to be criminalized and how these are affected by the complicated power relations within Canadian carceral institutions.

### ***Acknowledging Intersectionality in Canada***

In the Canadian context, it is important to acknowledge the complex and intersecting oppressions that criminalized Indigenous women experience, particularly as a white settler scholar who aims to engage in anti-oppressive, anti-racist, decolonial research praxis. As Martel and Brassard (2008) assert, settler researchers must attempt to “subvert colonialist discourse and institutions through deconstructing the colonialist prison narratives,” which can “contribute

constructively to debunking the colonial enterprise” (p. 341-342). Indigenous women are stigmatized and marginalized as a result of their gender and their race, and most often their socio-economic, political and geographic locations as well. Federally sentenced Indigenous women tend to have higher unemployment rates, lower levels of education, are more likely to be single parents, to live in crowded conditions, and be victims of violent crime than non-Indigenous women prisoners (Boyce, 2014; Derkzen et al., 2012; McGuire & Murdoch, 2021; Montford & Moore, 2018; Wesley, 2012). They also experience longer periods of imprisonment, higher security and risk classifications, more dangerous offender designations, increased use of segregation and isolation practices, more restrictive parole or probation conditions, and increased levels of violence, suicide, self-injury, and death while incarcerated (Chartrand, 2015; McGuire & Murdoch, 2021; Prevost & Kilty, 2020; Sapers, 2016; Zinger, 2021).

A critical feminist intersectional lens allows for a more nuanced look at these gendered and raced issues. Intergenerational impacts of residential schools and the Sixties Scoop as well as the oppressive governance of Indigenous peoples through *The Indian Act* exemplify the state’s continued colonial practices that maintain patriarchal, white settler societies through the ongoing assimilation and criminalization of Indigenous peoples (Allspach, 2010; McGuire & Murdoch, 2021; Montford & Moore, 2018). Indeed, the “whitestream” (in)justice system enacts colonial policies and practices that pivot on myths of European racial and cultural superiority and that directly impact Indigenous women in harmful ways yet are subverted under narratives of cultural sensitivity and inclusivity (Bruckert & Law, 2018; Martel & Brassard, 2008; Martel et al., 2011; McGuire & Murdoch, 2021; Montford & Moore, 2018). For example, the individualized and actuarial nature of risk assessment instruments used for federally sentenced prisoners do not consider the impact of colonization or the systemic racism and discrimination faced by

Indigenous peoples (Martel et al., 2011; McGuire & Murdoch, 2021; Montford & Moore; 2018; Monture-Angus, 1999). The result is that Indigenous prisoners are more likely to be classified as high risk/high need than non-Indigenous prisoners.<sup>14</sup> As Montford and Moore (2018) write, simply being Indigenous is a risk factor.

In deploying an intersectional lens, we also see that Black women in Canada experience heightened criminalization as a result of their gender and their race (as well as myriad other factors). From 2005 to 2015, the overall incarceration rate of Black prisoners (including both men and women) grew by 69%. Sapers (2015b) further asserts that the federal incarceration rate for Black individuals is “three times their representation rate in general society” (p.2). Notably – and problematically – statistics are difficult to find for Black women prisoners specifically, and data pertaining to neither men nor women are reported consistently in the OCI’s annual report. The most recent federal statistics reported in the 2018-2019 OCI report (Zinger, 2019) indicate that Black prisoners comprise 8% of the overall prison population.

A now dated study conducted by the OCI (Sapers, 2013) found that federally sentenced Black women were most likely to be incarcerated for drug-related crimes (53%). Interviews by the Office of the Correctional Investigator’s researchers further revealed that most Black women incarcerated at the Grand Valley Institution for Women were incarcerated for drug trafficking offences, which, they said, were motivated by women’s experiences of poverty (Sapers, 2013). Black women’s involvement in the shadow economy (i.e., sex work, drug enterprises) is often a survival strategy, chosen in the face of socio-economic marginalization (Maynard, 2017). Yet, as Maynard (2017) asserts, “Black women employing economic survival mechanisms are widely demonized and too frequently incarcerated” (p. 151).

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<sup>14</sup> Notably, “culturally appropriate” programming is offered to Indigenous women; I unpack and critique this toward the end of the chapter in the Technologies of Government section.

The lack of available data pertaining to Black women prisoner's experiences of incarceration arguably reveals a continued erasure of Black women's lives as they remain the "silent, forgotten population in our society" (Reece, 2007, p. 279). It is important, therefore, to turn to that which *is* clear and evidenced, namely Canada's history of racial profiling that devalues and criminalizes Black women such that they are more likely to be incarcerated than their white counterparts (Maynard, 2017). Indeed, studies have found that Black men and women are more likely to be targeted in traffic and street stops than white individuals (Ontario Human Rights Commission [OHRC], 2016, 2017; Wortley & Owusu-Bempah, 2011). A study conducted by the Ontario Human Rights Commission (2017) found that 72.5% of Black survey respondents reported they had been racially profiled while 11% of white respondents indicated they had<sup>15</sup> and that Black women specifically are more likely than white women to be targeted by police (OHRC, 2017). Black women tend to be at the forefront of social movements that "bring attention to police violence," such as the Black Lives Matter movement (Bruckert & Law, 2018, p. 255). They therefore experience more intensive surveillance in public spaces, which increases their likelihood of police interaction and subsequently amplifies their risk of incarceration (Maynard, 2017).

Viewed through an intersectional lens, we see that Black women's experiences with the penal system are often the result of intersecting racial and gender stereotypes that heighten their vulnerability to police encounters (Maynard, 2017; OHRC, 2017). Black women's deviation from traditional gendered scripts and expectations is "read" differently than for white women. This is exemplified in the case of Stacey Bonds, a 27-year-old Black woman and makeup artist based in Ottawa who was racially profiled in the city's downtown area and subject to a violent

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<sup>15</sup> While these survey results are telling, they are not statistically representative of the total population.

sexual assault at the hands of the Ottawa police while she was being detained (notably, she was detained for asking the officer why they stopped and carded her). The case was taken to court where the officer was charged and convicted of sexual assault. This case highlights the police officer's assumption of Stacey Bonds' "deviant sexuality" (Maynard, 2017, p.123) and the over surveillance and criminalization of Black women's bodies more generally.

The significance of engaging in anti-oppressive practice and mobilizing an intersectional framework cannot be overstated; indeed "[n]either the race-based nor gender-sensitive discourses on social problems have consistently managed to create understandings that effectively serve the needs of women of color" (Crenshaw, 2012, p. 1424). In the next section, I shift the discussion to governmentality studies to demonstrate how intersectional experiences are shaped by the circulation of different forms of power.

### **Governmentality**

I have demonstrated the importance of adopting an intersectional framework as part of my theoretical "tool kit" as a feminist scholar. This framework, however, is incomplete; I therefore deploy the Foucauldian concept of governmentality to better understand how power circulates in prisons and how programming and mental health are constituted through normative discourses. As I suggested in the previous section, there is theoretical significance in mobilizing both intersectionality and governmentality together given both of their limitations. This theoretical "tool kit" positions me to be able to examine women's similarities and differences and their relation to different forms of structural power (Cho et al., 2013).

Governmentality allows for a composite analysis of how power circulates and is exercised in and through prison programming, policies and practices. This framework is useful when "connecting abstract societal discourses with everyday material practices" (Ettlinger, 2011,

p. 538). Garland (1997, 2001) suggests that governmentality provides a powerful framework for problematizing crime control strategies. Relating Garland's assertion to the current study, I problematize carceral rehabilitative intervention as a strategy of control by specifically centering women's experiences of correctional programming. A governmentality approach is useful due to its open-ended account of governance and because it allows for the conceptualization of how power is exercised within specific ways of thinking and acting (Garland, 1997, 2001). Building on the work of other feminist scholars who have used Foucauldian concepts to interpret how women are governed (for example, the work of Mariana Valverde, 2005, 2007, 2008, 2010), this project explores the various ways in which correctional knowledge and carceral disciplinary practices are gendered, raced, and classed (Hannah-Moffat, 2001).

While I mobilize Foucault's concept of governmentality, I acknowledge the difficulty in relying solely on his work as he was unable to fully develop governmentality as a theory before his early passing in 1984. Foucault developed a new theme in his work – the government of others and the government of the self – toward the end of his life (Garland, 1997; Miller & Rose, 2008; Valverde, 1996). Indeed, Garland (1997) suggests that Foucault never completed his genealogical account of governmental reason. It is for this reason that I largely borrow from Nikolas Rose and Peter Miller's work on governmentality as well as other scholars in this field who continue to develop Foucault's study of government, including Dean (2010), Garland (1996, 1997), Gordon (1991), O'Malley (1996, 2004), Valverde (1996, 2007) and others.

### **Situating the Governmentality Approach**

Governmentality as a theoretical framework seeks to highlight how power exists within the triangle of sovereignty-discipline-government, where the focus is not on *why* power is exercised, but rather *how* it is exercised. I draw from Foucault's (1991) conceptualization of

governance as the unconscious production and reproduction of subjects through a triangular circulation of power, rather than as operating via specific persons who hold the power to exert direct, sovereign, and coercive control over others (Ettlinger, 2011; Rose, 1996). This triangular framework of power helps us to understand how “different locales are constituted as authoritative and powerful, how different agents are assembled with specific powers, and how different domains are constituted as governable and administrable” (Dean, 2010, p. 40). By deploying a governmentality framework, I was able to analyze the relationships between political rationalities (i.e., discourses that are mobilized in prisons through power/knowledge) and technologies of government (i.e., penal policies and practices that work *through* subjects) in a neoliberal society (Dean, 2010). A governmentality approach positions me to be able to problematize and question the actions of correctional government. Ultimately, I problematize how CSC determines the success of their prison programming for women prisoners by establishing that “things might be different from the way they are” (Dean, 2010, p. 50).

Governmentality theorists examine how we think about governing and the related rationalities (Dean, 2010) or mentalities of government (Rose & Miller, 1992). In his work on governmentality, Foucault (1991) understood government as the “conduct of conduct,” or the exercise of an activity that seeks to affect, shape, guide, manage, or regulate the behaviour of individuals that relates to specific principles and goals (Gordon, 1991; Rose, 1993). Foucault employed the concept of government in two different senses: government and governmentality (or governmental rationality; Gordon, 1991). Governmentality is how we come to think about practices (who can govern, what is governing, what or who is governed), and the kinds of action or practices that are accordingly carried out (Gordon, 1991). It is a way of “problematizing life and seeking to act upon it” (Rose, 1993, p. 288). Returning to the Foucauldian triangle,

governmentality is a way to think about power and its circulation between *government*, whose object is the population and the economy, *sovereign* power as exercised through juridical and executive arms of the state over constitutions, laws, and parliament, and *discipline*, or the exercise of power over and through an individual (Dean, 2010; Foucault, 1991).

This conceptualization situates governmentality as an encounter between technologies of domination as they relate to others as well as the self via disciplinary/sovereign power and governmental forms of self-regulation (Burchell, 1996; Foucault, 1982). Technologies of domination are only part of the equation that governs individuals; “government” is where techniques of domination, or power, and techniques of the self, interact. As Foucault stated in a 1980 lecture, “technologies of domination of individuals over one another have recourse to processes by which the individual acts upon himself and, conversely, where techniques of the self are integrated into structures of coercion and repression” (cited in Burchell, 1996, p. 20). The concept of technologies of the self will be discussed shortly, following an analysis of how power is constituted in prisons through power/knowledge and normative discourses and an examination of political rationalities. By inquiring into political rationalities and technologies of government (Dean, 2010; Rose & Miller, 1992), I am positioned to interrogate and conceptualize how these intertwined concepts can be employed to examine prison programming. Before addressing these concepts, a discussion on power relations in prisons is necessary.

### ***Power in Prisons***

There are several ways in which (unequal) power relations manifest in a carceral context. Carrabine (2000) suggests that the penal system can be considered a “composite of diverse forces, techniques, rationalities and devices which seek to regulate the actions and decisions of individuals and groups in relation to certain authoritative criteria” (p. 316). Accordingly, we see

that power relations are constituted through CSC at many levels (both frontline staff and governmental employees, for example) and as an authority, not through a centralized and sovereign state (Carrabine, 2000; Garland, 1997). But in a Foucauldian sense, power does not exist in and of itself – it exists in a dialectic relationship with knowledge and is constituted through discourse (Foucault, 1977, 1982). By discourse, I mean a system of thought that informs social practices (Foucault, 1991) or a “framework of belief as a guide for appropriate conduct” (Carrabine, 2000, p. 216).

One way in which power is discursively constituted is through CSC’s patriarchal, gendered practices, which seek to subjugate women through normative stereotypes of femininity (Dell et al., 2009). Dell et al. (2009) argue that imprisoned women who fail to conform to gender scripts are symbolic of a “resistant figure that challenges the entrenchment of the structure of patriarchy in correctional institutions” (p. 291). In other words, women who actively display acts of resistance to their confinement are seen as defying the power hierarchy. Rehabilitation discourses also demonstrate how power is constituted, exemplified through women’s correctional programming that emphasizes self-betterment tactics such as improving self-esteem to become “less criminal”; here we also see the manifestation of technologies of the self, which will be discussed shortly (Carrabine, 2000).

These examples demonstrate the intentional strategy of governance that aims to minimize threats to institutional power and to maintain the hierarchical structure where power/knowledge creates the dominant discourse. Those in positions of power (correctional staff, psy experts, and other CSC staff members) control what is defined as “Truth”, therefore (re)defining this truth through knowledge is the product of power, not necessarily of critical thought or consideration of materiality. “Truths” of how women are expected to behave, especially in a carceral setting,

pivot on gendered tropes, or the myths that women are inherently passive, docile, caring, and nurturing, for example. Indeed these tropes become the norm toward which women are expected to aim and thus operate as a kind of “normalizing judgment” (Foucault, 1977). These “Truths” are rendered visible through normative discourses that are reproduced through the circulation of power, namely via the experts who have a hand in creating correctional programming and the correctional system as an institutional apparatus that governs and regulates behaviour.

Yet, as Bruckert and Law (2018) suggest, this critical way of understanding how power/knowledge is constituted through discourse also illuminates how “framing something as normal not only renders it an unquestioned truth but also defines its opposite—the deviant, the abnormal, that which requires intervention” (p. 66). We see that the increased regulation and punishment of imprisoned women who stray from the gender stereotypes on which correctional policy and practice pivot is how power relations are rendered visible. The “risky” and “unruly” woman, the “renegade from the disciplinary practices which would mold her as a gendered being...the defiant woman who rejects authority which would subjugate her and render her docile...” (Faith, 1993, p. 1), the hysterical woman who experiences mental distress, is also regulated, and controlled through dominant psy discourses.

Complex power relations exist in the prison setting particularly for women who display mental distress. The ways in which psy care is implemented in prison creates an inevitable power imbalance between psy experts, correctional administrators, and prisoners (Kilty, 2012a). The role of psy experts and knowledges, especially as it pertains to the diagnosis and assessment of “risky” prisoners is significant (Rose, 1999). Rose suggests that psy experts are “control workers” in that their diagnosis and assessment of “risky” populations contributes to the management of their ongoing exclusion and punishment. Psy discourse in the carceral context is

particularly salient for women who are subject to high rates of psychotropic medication prescriptions and a prisoner's limited ability to accept or refuse the administration of said medication (Kilty, 2012a). Power is also exercised within policies that require participation in programming that is said to reduce prisoners' risk level, which is assessed and determined by prison staff or psy professionals (Hannah-Moffat, 2012). The prisoner's subjective experiences and knowledge are silenced by the authorities who claim to know better.

Reflecting on the above discussion about power in prison policy and practices, we see how power can be conceptualized as triangular and applied to the current study. Discipline is exercised through punitive sanctions in the name of institutional security – for example, when a woman engages in self-injury as an act of resistance and is subject to increased and harsher forms of punishment and control, such as strip searching and segregation.<sup>16</sup> Sovereignty is mobilized in and through the Correctional Service of Canada's institutional policies and practices that dictate the punishment of women who stray from gendered expectations and stereotypes. For example, women who use profanity around correctional officers may be sanctioned with institutional charges and segregated, as gendered expectations pivot on stereotypes and myths of how women “should” behave – as caring, docile, and passive (Balfour, 2014; Chartrand, 2015; Dell et al., 2009; Hannah-Moffat, 2010; Hannah-Moffat & Klassen, 2015). Sovereignty is also exercised through psy and other medical experts' authority over psychotropic medication use (Kilty, 2012a). Finally, power is exercised through the third point of the triangle, government,

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<sup>16</sup> It should be noted here that I am not arguing that preventing a woman from self-injuring is inherently punitive. An argument can be made, however, that it is the response to self-injury – taking belongings away such as a pen or pencil that she journals or writes to her family with, stripping her of clothing, removing her from her peer support – is punitive, even if it is for a woman's “protection.” “Preventative” responses may amplify feelings of isolation and worthlessness, which may be just as distressing and damaging as self-injury. Precautionary measures are indeed to be expected, however, the austere methods currently used by CSC are harmful and dangerous and scholars argue that even these more subtle forms of prisoner management are punitive (Moore & Hannah-Moffat, 2005).

when understanding the underlying regulatory practices that require prisoners to self-govern through responsabilization and empowerment strategies that are constituted through carceral logics and mobilized through correctional programming that emphasizes improving self-esteem to become a more productive citizen (to be discussed in greater depth below). A governmentality framework positions me to be able to examine the existence and distribution of power as it is described in women's experiential narratives and the programming documents themselves.

### ***Power through Resistance***

Clearly, the ways in which power circulates in prison is complex. Yet, as Foucault (1982) suggests, “rather than analyzing power from the point of view of its internal rationality, it consists of analyzing power relations through the antagonism of strategies” (Foucault, 1982, p. 780). Indeed, power relations could not exist without “points of insubordination” – which is when we see the limits of power (Foucault, 1982, p. 794). It is crucial that we analyze forms of resistance that arise in the study of power to better understand its relational qualities (Foucault, 1982). This project documents where and how resistance forms in order to analyze how power circulates in and through women prisoners who display mental distress, as CSC's policies and practices do not mobilize power *onto* prisoners but *through* them (Foucault, 1982). As Foucault (1982) states:

In itself, the exercise of power is not violence; nor is it a consent which, implicitly, is renewable. It is a total structure of actions brought to bear upon possible actions; it incites, it induces, it seduces, it makes easier or more difficult, in the extreme constrains or forbids absolutely; it is nevertheless always a way of acting upon an acting subject or acting subjects by virtue of their acting or being capable of action. A set of actions upon other actions. (p. 789)

Particularly in feminist research, it is crucial to identify spaces and actions of resistance among women who experience(d) incarceration. By using resistance as a starting point, Foucault (1982) suggests that it would be possible to “bring to light power relations, locate their position,

and find out their point of application and the methods used” (p. 780). Foucault’s point is that it is necessary to understand power relations as they are related to the political rationalities and technologies of government that structure them. With this in mind, and in further deploying a governmentality framework to articulate the power relations that are relevant for this research, I next examine the interrelated lines of inquiry between political rationalities and programs of government that are responsible for shaping carceral logics and conduct.

### **Political Rationalities & Technologies of Government**

As power is not simply violence or a “confrontation between two adversaries” but “a question of government” (Foucault, 1982, p. 790), I now highlight how power operates through dominant governmental ideologies. A political rationality, according to Rose (1996), is a “kind of intellectual machinery or apparatus for rendering reality thinkable in such a way that is amenable to political programming” (p. 42). Miller and Rose (2008) suggest that political rationalities of thought are ways of thinking or ways of “rendering reality thinkable” (p. 16). Neoliberalism, for example, is the dominant political rationality of our time and is examined further below. Technologies of government are the strategies through which government deploys political rationalities – indeed rationalities must be mobilized to become instrumental – and may be described as the techniques and instruments for shaping the “conduct of conduct” (Miller & Rose, 2008). Rationalities and technologies are intertwined, and only by analyzing both is one able to problematize government and governmentalities (Miller & Rose, 2008). The strategies of government that Rose (1996) highlights are “rooted in the desire to ‘govern at a distance’” (p. 43), which characterizes neoliberalism. In considering how “the adoption of a theoretical strategy in which power is decomposed into political rationalities, governmental programmes, technologies and techniques of government” (O’Malley et al., 1997, p. 501), I now examine

neoliberalism as a political rationality and the related governmental technologies, specifically technologies of the self.

### *Neoliberalism as a Political Rationality*

Neoliberalism emerged as a response to the political critique and overhaul of welfarism, which was considered overbearing, excessive, and paternalistic by both the left and right (Dean, 2010). The inefficiencies of the allegedly failing welfare state were critiqued for creating an expectant and dependent society as the state was responsible for both individual freedom and the freedom of the capitalist enterprise, in the name of collective security; this problematization of the welfare state fueled a cultural and political shift in most Western democracies (Miller & Rose, 2008; Rose, 1996; Rose & Miller, 1992). While the welfare state was characterized by a sense of social responsibility for the collective,<sup>17</sup> the neoliberal state, by contrast, is premised on the notions of individual fairness and responsibility. Advocates of neoliberalism demand greater independence from government support and for government actions to be reconfigured to create market dependency, shifting the balance from state-controlled capital to free-market capitalism (Miller & Rose, 2008). A deregulated market is thought to provide increased freedom, entrepreneurship, and individual decision-making (Miller & Rose, 2008; Rose, 1996).

Rose (1996; see also Rose, 1993) contends that there are three elements needed to govern a neoliberal society. The first is that there is a new relation between politics and expertise. Regimes of knowledge(s) are replaced by calculative and predictive actuarial regimes that are based on accounting and finances. For example, the neoliberal state is characterized by marketization, where the regulatory powers from “above” are removed and placed upon

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<sup>17</sup> This “romanticization” of the welfare state has been critiqued by Gilmore (2007). In *Golden Gulag*, Gilmore (2007) argues that even in the welfare era, there was a widespread sense of economic insecurity due to the redistribution of income and the reconfiguration of power because of shifts in the taxation structure. The result was, of course, a loss of commitment to the welfare state and its approach to social problems.

consumers (Rose, 1996). This free-market mentality is the basis of modern capitalism, where individuals are “free” to decide how to spend and use capital. Second, there is a “pluralization of new social technologization,” or a “de-governmentalization of the state and “de-statization of the governing” (Rose, 1996, p. 56), where the responsible, self-governing individual replaces the welfarist notion of a collective community. This is where we see privatization, and where the responsibilities of previously public enterprises are passed on to private companies (and therefore to capitalists who seek to make profit from a public good).

“A new specification of the subject of government” is the third characteristic of neoliberalism and entails governing at a distance. Governing now involves “the enhancement of the powers of the client as customer... [and] as active individuals seeking to ‘enterprise themselves’ and to make individual, rational choices that enhance their wellbeing” (Rose, 1996, p. 57). This element illustrates how conduct is regulated while becoming a matter of individual desire, of self-government; it is up to individuals to maximize their happiness and wellbeing (Rose, 1996). This concept of the self-governing individual has become part and parcel of the neoliberal political rationality and, as I will discuss shortly, is how technologies of government are deployed through citizens via technologies of the self. In this way, the neoliberal state effectively distances itself from its citizens who are expected to actively engage in appropriate strategies to improve their own well-being. The state focuses on empowering entrepreneurial subjects to seek self-realization rather than developing a sense of collectiveness and universal justice via the equitable distribution of resources (Rose, 1999, 2000); this shift in government and political rationality downplays and can even render invisible the structural inequalities that prevent all citizens from having the same opportunities.

One example of Rose's third element of governing in a neoliberal society is the provision of social assistance. Indeed, the material consequences are very real for those who rely on the government for social assistance. Wacquant (2009) draws attention to the intrusive surveillance, lifelong record keeping and supervision, and strict behavioural monitoring of those who receive social assistance. "Social panopticism," Wacquant (2009) suggests, requires individuals who rely on welfare assistance to internalize an attitude of entrepreneurship and responsabilization to receive government assistance; as they are being monitored, the failure to self-govern appropriately can lead to being deprived of the money they need to survive.

Before moving on to discuss technologies of government, it is first important to nuance the shift from welfarism to neoliberalism in the Canadian context. Most governmentality scholars who were documenting, critiquing, and problematizing the profound transformations in neoliberal governance were writing of the American and British experiences during the political administrations of Ronald Reagan and Margaret Thatcher respectively. Both countries saw dramatic change in penal policy and the growth of an incarceration crisis, which has had catastrophic effects on their citizens (Meyer & O'Malley, 2005; Webster & Doob, 2015). Scholars have argued that this shift has been less pronounced in Canada. In acknowledging Canada's stable incarceration rates (Doob & Webster, 2006) and in contrast to the more dramatic punitive turns witnessed in the US and Britain, Meyer and O'Malley (2005) suggest that Canada decidedly opted for a more balanced approach to penality. Meyer and O'Malley (2005) cite examples that exemplify this argument: "root cause" discourses about criminality remain central in penal policy discussions in Canada; therapeutic jurisprudence has been implemented in drug, mental health, youth, and community courts; and restorative justice programs have increased across the country. It is important to note here, that while these policies and practices reflect an

effort to continue deploying welfarist strategies, they have been coopted by the penal system such that retribution remains a core penal value (Piché & Strimelle, 2007) and prisoners are governed by neoliberal logics of individualization and responsabilization (Pavlich, 2007).

In contrast to the US emphasis on harsher punishment and increased punitiveness, “Canadian criminal justice cannot be subsumed under a general model of a global punitive turn” (Myer & O’Malley, 2005, p. 213). While at the time of writing this was indeed the case, Canada did show a greater reliance on carceral solutions from 2006-2015 at the hands of the Harper-led Conservative government (Piché, 2014; Webster & Doob, 2015). While penal intensification in Canada cannot be defined in quantitative terms, i.e., dramatically increased incarceration rates as seen in the US, an argument can nevertheless be made in qualitative terms and through experiential narratives. The Harper government’s conservative punishment agenda had problematic – even dangerous – impacts in Canadian carceral spaces and on prisoners themselves (Fayter & Payne, 2017).<sup>18</sup>

While welfare policies have not been entirely replaced by neoliberal discourse, a closer look reveals that these two rationalities of government exist simultaneously and in tension. I take up Moore and Hannah-Moffat’s (2005) argument that in order to see the punitive nature of the Canadian correctional system we must *pull back* the “liberal-veil” that provides the illusion that rehabilitation remains at the forefront of penal policy and discourse in Canada. When we do so, we see the reconfiguring of rehabilitation as a targeted intervention to facilitate self-control and reduce risk (Garland, 2001), the denial of basic human rights in prisons (e.g., adequate clothing, hygiene supplies, bedding, and even food; de Graaf & Kilty, 2016), as well as the use of

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<sup>18</sup> See also the special issue of *The Journal of Prisoners on Prisons*, Volume 26, Issues 1 and 2 – specifically Pelletier (2017); see also Shook (2018); Shook & McInnis (2017); and Speight, Shook, Piché, & Walby (2020).

force/restraint and segregation, which is often arbitrarily decided and perceived as a form of torture (Piché & Major, 2015). We also see that despite the benevolent intentions of therapeutic jurisprudence in the criminal court system (e.g., specialized courts for drug treatment courts and mental health), individuals are governed through increased surveillance tactics, coercion, and intensive control strategies (Moore, 2011). Now that I have demonstrated how governing at a distance, a main feature of neoliberal governance as a political rationality, results in social panopticism (Wacquant, 2009), I explore technologies of government, which translate neoliberal discourses into action and is thus where we see the formation of internalized panopticism.

### ***Technologies of Government and the Self***

Miller and Rose (2008) write:

If political rationalities render reality into the domain of thought, these technologies of government seek to translate thought into the domain of reality, and to establish ‘in the world of persons and things’ spaces and devices for acting upon those entities of which they dream and scheme. (p.33)

In other words, technologies of government are how political and governing rationalities are deployed. A governmentality approach considers technologies of government to be the tactics, mechanisms, and means through which authorities are constituted (Dean, 2010). By governing through freedom and developing technologies of the self, government acts through individuals instead of upon them from above (Foucault, 1988; O’Malley, 1996; Rose, 1999).

In the neoliberal context, citizens are governed through the freedom of autonomous decision making (Rose, 1999). Rose (1999) states, “To be governed through our freedom: the very idea seems paradoxical” (p. 62). Indeed, the notion of freedom as “the right of the individual to act in any desired way without restraint, the power to do as one likes” (p. 62) seems to be in stark opposition to the term government. Yet, as we will see shortly, the very definition of what it means to be free has transformed through neoliberal discourse and has become a way

of attaining (“appropriate”) self-regulation. Within an advanced liberal society, which is premised on the idea that citizens are free when being rational, responsible, autonomous, and capable of self-regulation (Dean, 2010; Rose, 1993, 1996), freedom is a strategy of governance. Individuals are not “free” by nature, they engage in self-governance while believing they are free to take charge of their own lives. Technologies of government work through individuals by shaping their experience of freedom (O’Malley, 1996; Rose 1996). To self-govern well, to achieve authority over desires, impulses, and behaviours, freedom is exercised through technologies of the self that allow the individual to build a relationship with herself.

It is not surprising that autonomous and enterprising citizens of the neoliberal era must take responsibility to act upon themselves in order to become improved versions of themselves. Through self-surveillance, we are “free” to objectively turn our gaze inward to assess and discipline our own behaviour to discover areas for self-improvement (Cruikshank, 1999). This imperative to judge and modify our behaviour is what Foucault (1988) refers to as technologies of the self. Foucault (1988) illustrates that technologies of the self allow individuals to...

...effect by their own means or with the help of others a certain number of operations on their own bodies and souls, thoughts, conduct, and way of being, so as to transform themselves in order to attain a certain state of happiness, purity, wisdom, perfection, or immortality. (p. 18)

In the same vein, Cruikshank (1993, 1994, 1999) conceptualizes “technologies of citizenship,” whereby citizens are driven by discourses and programs of government that encourage and promote self-government through the increase and maintenance of self-esteem and self-sufficiency. These technologies target certain individuals, especially groups and communities considered to be “at risk” (Cruikshank, 1999; Dean, 2010). Cruikshank (1993, 1994, 1999) argues that power relations shape and guide the actions of the self – indeed governance is not only a product of state action, but also of individual actions. Technologies of

citizenship are the ways in which government “helps people help themselves,” as demonstrated by welfare assistance (Cruikshank, 1999, p. 4). Technologies of the self largely structure and form the basis of correctional programming and interventions for criminalized women, to which I now turn.

In the carceral context there is an implicit assumption that when individuals are incapable of responsible, self-directed action and moral agency, it is they who possess a problem that must be rectified through responsabilization tactics (Garland, 1997, p. 191). One can identify the relevance for women prisoners: through the deployment of CSC’s correctional programming, women are required to not only take responsibility for their actions but are also taught that working on their self-esteem will make them into better citizens and ideal candidates for rehabilitation and “successful” reintegration. In fact, a CSC research report states the first stage on the programming continuum is intended to “enhance participant motivation for change . . . [by] identify[ing] problematic behaviours, and introduc[ing] the concept of the self-management plan” (Harris et al., 2015). The promotion of prisoner motivation, of the self-identification of problematic behaviours, and self-governing in ways to manage these behaviours is technologies of the self in action.

Indigenous women prisoners develop unique technologies of the self by way of their specific experiences of “culturally relevant” correctional programming interventions. While CSC has attempted to implement Indigenous-specific programming and practice, the Indigenizing of correctional programs nevertheless places the impetus on the individual to “fix” or mitigate their risk by way of their culture – that “cultural wholeness can serve as a preventive or curing agent” (Martel et al., 2011, p. 241). CSC’s approach is pan-Indigenous, oversimplified, and static, which inherently acts to delegitimize any alternative representations of Indigenous identity. As

such, the notion of “Indigenous culture” has become conflated with uniform traditions across Indigenous peoples, taken up and deployed as what works to rehabilitate and treat Indigenous prisoners (Martel et al., 2011; McGuire & Murdoch, 2021). The way in which Indigenous culture is operationalized is as one uniform set of habits, values, customs, and beliefs. For example, not all Indigenous cultures practice smudging ceremonies, yet prisoners in Indigenous programming must partake in these practices (Martel et al., 2011). That Indigenous programming requires prisoners to engage with a cultural identity that has been co-opted by institutional discourse problematically fails to acknowledge the violence of erasure and the assimilation tactics that have been mobilized since European settlers arrived to colonize Indigenous peoples as well as in the ongoing colonial project (Martel & Brassard, 2008). In other words, Indigenous prisoners are expected to lower their risk level by engaging with the (pan) Indigenous culture and traditions that the Canadian government has in the past attempted to systematically eliminate. This homogenous approach to Indigenous programming is undoubtedly incongruent with the myriad cultural practices between and among First Nations, Métis, and Inuit communities and peoples. As McGuire and Murdoch (2021) state, this singular Indigenous identity that CSC mobilizes in and through programming (and in the carceral context more broadly) is not at all reflective of reality; instead, “the reality is that the most unifying factors among Indigenous people are their experiences with racism, genocide, and trauma” (p. 12).

Paradoxically, while CSC encourages cultural engagement in correctional programming to reduce recriminalization, Indigeneity is a marker of elevated risk levels (Martel et al., 2011). Martel et al. (2011) describe the contradictory logic involved whereby Indigenous prisoners score higher on risk assessments than non-Indigenous individuals, meaning they are more likely to be placed in maximum security settings, punished with segregation, or denied parole, for

instance (see also Monture-Angus, 1999). While the risk assessment tool is claimed to be culturally neutral, unbiased toward gender, and an accurate prediction of “recidivism,” it is based on dominant socio-cultural worldviews, with structural markers like poverty, social markers like housing status, family problems, school or employment difficulties, and individual markers such as substance abuse (Martel et al., 2011; Montford & Hannah-Moffat, 2021). Indigenous communities are generally disadvantaged and marginalized due to structural inequities – they are plagued with poverty, under-employment, and under-education, which are the very markers that determine high criminogenic risk. While race is a static factor (i.e., it is unchangeable), it is also associated with an individual’s social location and is linked to other risk factors that are understood to be changeable (dynamic) (Martel et al., 2011). The method by which the prison aims to “fix” and “tend to” these markers of risk is through Indigenizing its policies and programs “in an effort to provide opportunities and revitalize aboriginal offenders’ cultural traditions and customs” which is supposed to contribute to their rehabilitation (Martel et al., 2011, p. 241). As Cruikshank (1999) stated, this is a way of helping people help themselves – it is the deployment technologies of the self (and technologies of citizenship) in practice.

Returning briefly to Foucault’s triangle, I seek to demonstrate how a discussion of political rationalities and technologies of government – the building blocks of a governmentality approach – position me to interrogate how these strategies of government interact with the other two points of the triangle – discipline and sovereignty. We can see how the strategies of government interact with discipline and sovereignty when we look at risk and the complex power structure that constitutes and regulates risk in prison settings.

### *Technologies of Government through Risk Thinking*

Inherently tied to neoliberal technologies of government that require citizens to self-govern is the notion of risk as a governing logic. Formerly, the term dangerousness was used in place of the term “risk” and was thought of as an unpredictable action, something out of an individual’s control or an uncertain result of one’s actions (Castel, 1991). Dangerousness, however, was replaced by the more scientific term of risk, where the probability of an “undesirable event” occurring can be predicted, anticipated, and prevented (Castel, 1991, p. 288). Risk thinking requires individuals to actively avoid and insure against risk – indeed, risk has been described as “saturating everyday life” (Hannah-Moffat & O’Malley, 2007, p. 1; O’Malley, 1996). Risk management involves daily practices of the self, comprised of envisioning problems in a particular way and attributing a certain amount of attention to those issues that pose a significant problem (O’Malley, 1996). The individual and subjective management of risk has become engrained such that it “appears as a particular way of envisioning problems and forming the techniques of governance to deal with them” (Hannah-Moffat & O’Malley, 2007, p. 14). In neoliberal societies, actuarial techniques of managing risk are technologies of government that demand subjects be rational, responsible, knowledgeable, calculative, and constantly aware and in control of their lives, which O’Malley (1996) describes as prudentialism. Risk rationalities are ultimately a form of power in and of themselves.

While there are myriad studies that examine risk thinking and management as applied to different populations, I focus on risk as it relates to penalty, criminalized women, and mental distress. A governmentality approach requires considering the relationships between strategies of government, discipline, and sovereignty; given the context of this research, it is imperative that I examine the notion of risk in relation to crime and penalty to illustrate this link. O’Malley

(1996) argues that “crime increasingly comes to be understood not as a matter of personal and social pathologies in need of correction, but as a set of risks, more or less inevitable in some degree, but predictable and manageable in aggregate terms” (p. 190). Certainly, the way society thinks about crime has changed – it is no longer about changing an individual for the better as we saw in the welfare state, but rather about managing the risk that they pose. Risk thinking has become a fundamental part of post-welfare societies (or neoliberal welfare societies, as in the Canadian context) and the strategies that they use to manage exclusion and criminalization (Rose, 2000).

The control and regulation of “risky prisoners” – notably, those with mental health concerns who are considered to be disruptive to the prison environment – demonstrates the deployment of disciplinary and sovereign powers. The assessment and management of risk in prisons is implemented by prison workers and psy experts who seek to maintain institutional security and is further complicated by normative discourses and power relations (Pollack, 2010). Criminalized women’s needs and experiences (such as their mental wellbeing, self-injury, past victimization, to name a few) are reconfigured as risks (Hannah-Moffat, 1999). Women’s risks are also problematically tied to their needs, which may be either non-criminogenic (e.g., poverty, health, self-esteem, “major mental disorder”) or criminogenic (e.g., interpersonal relationships, substance abuse, social interaction, attitudes, employment/education, family circumstances)<sup>19</sup> (as discussed in the previous chapter), but when addressed via programming are considered factors that may reduce the risk of recriminalization. Women must self-discipline and self-govern to manage their risk levels and to succeed at completing institutionally mandated programming.

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<sup>19</sup> As a reminder, criminogenic needs are dynamic characteristics that shift the likelihood of recidivism and are thought to be changeable with targeted rehabilitation and programming. Non-criminogenic needs are also amenable to treatment but are not considered to be linked with the probability of recidivism.

Risk management is often accomplished through the expert discourses of professionals who look to documentation, such as reports from psychologists, psychiatrists, social workers, as well as parole officers and case management workers, to assess and keep track of a prisoner's risk level; however, this inevitably silences the knowledges and subjective experiences of prisoners themselves (Kilty, 2006, 2012a; Pollack, 2010). Rose (1998) argues that the "log of prediction" has replaced the "logic of diagnosis" in psychiatry whereby mental health workers become knowledge workers "engaged in the accumulation, calibration, classification and interpretation and communication of information relevant to judgements about risk" (p. 185). Criminalized women with mental health concerns must actively engage in prison programming and activities to manage their risk level. So too must Indigenous women who are assessed as higher risk than non-Indigenous women due to their very identities as Indigenous, and paradoxically must also work to actively engage with their culture in order to reduce their risk level (Martel et al., 2011). This form of "empowerment" is undeniably linked to broader neoliberal discourses, of which a key element is responsabilization and self-governance.

Women are required to "perform empowerment" by taking responsibility for their past wrongdoings to be "successful" in prison programming and to be considered for parole (Hannah-Moffat, 2004a). Empowerment, however, becomes reconceptualized and reconfigured within a neoliberal narrative for prisoners with mental health concerns; while claiming to empower prisoners through programming, prisons mobilize responsabilization strategies and require women to adhere to programming rules via self-discipline. Prisoners must internalize institutional rules by regulating their behaviours and their thoughts, ultimately deploying technologies of the self. Carceral management logics are inserted into women's cognitive

thought processes as they adopt the self-management strategies they are instructed to engage in via cognitive behavioural techniques (Pollack & Kendall, 2005).

Despite CSC policy that states that the goal is to empower women prisoners, not all women are considered empowerable (Hannah-Moffat, 2000). Women who are assessed as high risk and high need (often due to displays of violence or mental health problems) are often considered unempowerable and are therefore more likely to experience the use of force, involuntary transfers, strip and body cavity searches, and long periods of time in segregation (Hannah-Moffat, 2000, 2010, 2012, 2015; Hannah-Moffat & Klassen, 2015; Kilty, 2014a; LeBlanc et al., 2015). Hannah-Moffat (2000) argues that women who are deemed unempowerable – the risky, mentally ill prisoner who is resistant to punishment – “illustrate the triangular interdependence of sovereignty, discipline and government in penalty” (p. 528). These risk processes and practices only serve to continue marginalizing women who are already considered to be at the “correctional fringe” (Hannah-Moffat, 2004a, p. 247).

The connection between this notion of the unempowerable prisoner (Hannah-Moffat, 2004a) with Hannem’s (2012) concept of structural stigma is important. Structural stigma is defined as “an awareness of the problematic attributes of a particular group of people and is based on an intent to manage a population that is perceived, on the basis of stigmatic attribute, to be ‘risky’ or ‘morally bereft’” (Hannem, 2012, p. 24). CSC, at an institutional level, makes the inadvertent decision to manage “defiant” and “resistant” women prisoners with mental health concerns in ways that serve to marginalize them further. This can be understood as an example of structural stigma because it is directly tied to the institutional and conceptual structures that constitute women prisoners as unempowerable. Structural stigma is not a consequence of a woman’s individual traits or characteristics but is instead the result of her belonging to a

particular risky group (Hannem, 2012; Kilty 2012b). Unlike obvious discrimination, Hannem (2012) argues, structural stigma does not involve intentional harm to the group; rather “the stated goal of policy makers is often to help or improve the situation” (p. 25). The goal of empowering prisoners to make change in their lives demonstrates this – although CSC intends to involve a prisoner in their own rehabilitation, they fail to acknowledge the fact that many of these women face marginalization that stems from structural oppressions that flow from their compounding and intersecting identities, which cannot be altered through penal practices.

### **Conclusion: A Feminist Perspective on Governmentality**

While governmentality studies have been applied to many disciplines and have produced a body of literature that has contributed to the social, political, and human sciences (Dean, 2010), in this chapter I specifically mobilized a governmentality approach that is informed by a feminist lens. I began the chapter by outlining the feminist perspective I take, highlighting how deploying a gendered lens is pertinent in a feminist study. I discussed intersectionality and how I use it as a framework in the Canadian carceral context. I then moved to situate my analysis in the governmentality literature, which positions me to interrogate the power relations that structure women’s carceral experiences, their participation in prison programming and their experiences of mental distress while inside. Mobilizing the work of key governmentality scholars, the chapter then outlined the political rationalities (neoliberalism and neoliberal discourse) and technologies of government (governing through freedom by developing technologies of the self) that allow me to interrogate power relations through Foucault’s triangle of discipline, sovereignty, and government.

Analyzing risk rationalities as they relate to imprisoned women is particularly salient in this study. Understanding the gendered oppressions women experience must be conceptualized

in relation to configurations of risk (Hannah-Moffat, 2005, 2010) and how, as Olofsson et al. (2014) argue, “inequalities are manufactured by modes of governance, including the use of ‘risk’ as a regulatory regime, that are shaped by intersectional power (im)balances” (p. 422). It is essential to disentangle how women’s identities are embedded within a risk narrative and the risk discourses that structure prison governance. An intersectional lens demands that I highlight the categories of difference among women as well as the categories of power and privilege and the disadvantages that stem from them (Olofsson et al., 2014). When risk is (re)produced within power relationships, it is inherently connected to gender, ethnicity, race, class, sexuality, and ability (Hannah-Moffat, 2010; Hannah-Moffat & Maurutto, 2010; Olofsson et al., 2014).

As a critical feminist criminologist, it is important to attend to power/knowledge, discourse, political rationalities, and technologies of government, while acknowledging that a woman’s gender and race inevitably alter how incarceration – and therefore correctional programming and mental health intervention – is experienced. It is the openness of intersectionality that allows it to be integrated with other theoretical frameworks in order to overcome its limitations when it stands alone (Bomert, 2015, p. 88). My “theoretical toolbox” requires both perspectives, indeed one without the other would not allow for a composite theoretical analysis; together, these frameworks position me to be able to make sense of correctional programming for federally sentenced women and women’s lived experiences of correctional and mental health intervention. In the next chapter I outline the methods used to collect and analyze my data and explore the “messiness” of qualitative research.

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## CHAPTER 4 – Methodology: Feminist critical discourse analysis

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### **Introduction**

This project mobilizes critical qualitative research methods. Kobayashi (2001) argues that it is morally imperative that a qualitative approach be used in order to “recognize that subjects’ lives are multifaceted, interconnected, contextually situated and deeply meaningful, in ways that cannot be conveyed easily by simple descriptions such as those achieved quantitatively” (p. 58). Conducting qualitative research positions me to go beyond what exists on the surface, to attend to the intersecting nature of women’s gender and race that result in systematic oppression and exclusion, and to highlight the material realities of incarceration, especially in relation to correctional programming. Merging qualitative methods with a critical approach will help “convey the social consequences of the situations that we study, and... uncover the tensions and contradictions faced by people in those situations” (Kobayashi, 2001, p. 55). With this approach, the objective of the study is to produce a comprehensive map of how federally sentenced women are assessed and processed in terms of their mental health needs and risks, the programs they are required to participate in, and how they experience these programs and related interventions.

This chapter not only provides a systematic description of the methods I employed to carry out this project, it also presents the story of my methodological journey – of closed doors, new plans, overcoming barriers, facing challenges, ethical dilemmas, and questioning my position as a researcher. It is a story of the complexity and “messiness” of qualitative research methods. I intentionally make space in this chapter to acknowledge the many challenges I faced conducting this research. I hope to draw attention to the fact that methods are rarely, if ever,

perfect, polished, and straightforward, despite the fact that this is how they appear in most academic writing. Melissa Munn (2014) effectively summarizes these sentiments:

The research process is, to some degree, taken for granted – certainly it is far more complicated than the presentation in most methods articles and text. Rather than the messiness that now seems obvious to me, academic texts (even those dedicated to methodology) often ignore or gloss over the methodological contradictions and compromises in favour of formulaic process and polished finished products. (p. 287)

In attending to the complexity of qualitative research, it is essential that my writing is critical and reflexive, that I continually question my interpretations that are based on aspects of my culture, socio-economic status, gender, and personal politics (Cresswell, 2006). Certainly, all researchers shape their work – from the methods selected to collect data and interpret stories, to disseminating the final results – and it is crucial that this positionality and bias be openly represented in their writing, especially in my case as a feminist researcher (Cresswell, 2006). It is important to engage in what Kilty (2014b) describes as the three Ps of feminist research: positionality, politics, and praxis. This means that I differentiate myself epistemologically as a feminist scholar in recognizing the varied identities among women (positionality), attending to the structures at the root of their oppressions (politics), while working to enact social change by producing tangible results that, in some way, support the advancement of women (praxis).

Accordingly, with the intent of engaging in the three P's while also seeking epistemic reflexivity (Bourdieu & Wacquant, 1992), I acknowledge my role in this project as a white, middle-class, cis-gender, able-bodied, heterosexual woman who has never known the kinds of experiences that my participants have had, who has never been caught within a system that was working against her because of her race, and who has never experienced childhood trauma or severe mental distress. I acknowledge that these are positions that blur the sociological gaze

(Bourdieu & Wacquant, 1992) and that these privileges have inevitably shaped this project and the methods deployed to conduct this research.

In this chapter, I aim to be bold and honest about my journey through my doctoral research project. I begin by outlining my research statement and questions, describing my epistemological standpoint, and operationalizing specific key terms. I go on to tell the story of my data collection process, which truly was a journey, where I address challenges, complexities, and limitations. I then provide an overview of my method of analysis, critical discourse analysis, before ending the chapter by reflecting on ethical dilemmas, challenges, and questions.

### **Research Statement & Questions**

This research was guided by the following research statement:

The intention of this project is to map how federally sentenced women are assessed and processed in terms of their mental health needs and risks, the programs they are required to participate in, and how they experience these programs.

This statement was further supplemented by several interrelated subsidiary questions that shaped the research:

- ⇒ How do imprisoned women experience correctional and mental health intervention as administered through CSC's Women Offender Correctional Program Continuum and Circle of Care?
- ⇒ How does programming discursively constitute imprisoned women? What are the discursive strategies used by CSC to constitute women and their state of mental wellbeing?

⇒ In what ways does CSC's mandated programming for those who display mental health concerns (re)produce gendered subjects within a neoliberal regime of governance?

### **Epistemological Approach**

In order to take up a critical point of view when it comes to mental illness and women's material experiences of mental distress and prison programming, I rely on critical realism as an epistemological point of departure. Critical realists believe that there is a reality that exists outside of the individual, but that our knowledge of it is socially constructed (Gaudet & Roberts, 2018). Critical realism upholds the idea that "the world exists through causal relationships" (Gaudet & Roberts, 2018, p. 16) and it is therefore the researcher's task to construct a narrative, as opposed to discovering a "Truth" (Cruickshank, 2003). This requires that social scientists explore how reality is constructed by the group they are studying instead of claiming to have discovered a truth about a particular group (Cruickshank, 2003). In other words, there is a recognition that we, as researchers, must create a narrative that is based on our participants' reality as they live it. Cruickshank (2003) asserts, "As knowledge claims are fallible, the best we can do is improve our interpretations of reality, rather than seek a definitive, finished 'Truth'" (p. 2). The way to do so is by exploring the social world, which can only be understood upon identifying the structures (e.g., the economy, the state, family, language) that generate common and prevailing discourses (Bhaskar, 2011; Cruickshank, 2003).

A critical realist standpoint is particularly useful when it comes to understanding mental distress (which will be fully conceptualized in the next section). It is important to challenge the existing order of mental health problems while appreciating what it means to experience mental and emotional distress (Ussher, 1991). This epistemological standpoint must not be conflated

with social constructionism, nor marked as entirely distinct from realism; while critical realism and social constructionism are similar in that they problematize mental health concerns and notions of mental “illness,” they remain separate lenses through which to view mental distress.

Social constructionists contend:

The world we experience and the people we find ourselves to be are first and foremost the product of social processes. [...] It is the social reproduction and transformation of structures of meaning, conventions, morals, and discursive practices that principally constitutes both our relationships and our selves. This implies that language, both as the dominant carrier of categories and meanings and as the medium which provides much of the raw material for our activity, is central (Cromby & Nightingal, 1999, p. 4).

A social constructionist approach considers the ways in which language determines our experience. Indeed, LaFrance and McKenzie-Mohr (2013) assert, “Through a social constructionist lens, language is not regarded as merely descriptive (as is assumed in the DSM), but as performative. Language *does* things and the structure of language determines the structure of our experience” (p. 125; emphasis in original). Some would further argue that anti-psychiatry scholars fit within the social constructionist perspective as they argue that psychiatry is a coercive and oppressive practice and that the medical model is a knowledge system manufactured by psy-professionals and the institution of medicine (see, for example, Burstow, 2015; Szasz, 1961, 2008; Laing, 1959, 1985). Anti-psychiatry proponents recognize mental illness as a social construction, meaning it cannot be understood as an *a priori* assumption of flawed human biology, but rather as a representation produced by psy experts who rely on the ever-fluctuating diagnostic categories (Parker, 2015; Parker, Georgaca & Harper, 1995). Strict social constructionists would therefore contend that an individual’s experiences of distress are not, in fact, real, but rather exist solely at a discursive level, a by-product of a dominant (medicalized) discourse legitimated by the psy professions (Ussher, 2005). The reason I do not

take up a pure social constructionist approach is because it risks denying people's material realities of experiencing distress.

This position stands in stark contrast to a realist standpoint, which relies on positivist research and the medical model to understand mental distress. The objective with this approach is to discover a knowable reality or biological abnormality within a person who experiences distress, to observe and measure distress and to understand disorders as they are named through diagnostic categories (Pilgrim & Bentall, 1999; Ussher, 2011). This perspective medicalizes distress and is governed by the American Psychiatric Association (2013) through the DSM, which demarcates and frames mental distress as illness; this is the dominant discourse when it comes to framing mental distress (Lafrance & McKenzie-Mohr, 2013). Critical realism, however, lies in the middle of these two standpoints. It adopts the same critiques of mental distress and "illness" as social constructionists, while recognizing the materiality of distress and the related somatic, psychological, and social experiences noted by realists (Ussher, 2005, 2011).

A critical realist perspective understands the materiality of distress as more than "just" a social label or category which is discursively constructed. By materiality, I am referring to "the physical world (including the body), as well as the social structures (including institutions and environments), all of which are understood to be sites for the production of systems of meaning" (Lafrance & McKenzie-Mohr, 2013, p.134). Cromby and Nightingale (1999) further suggest that materiality is the "thingness" of the physical world, "the elemental, physical nature of the world in which we are embedded" (p.12). Some factors of materiality would, according to Ussher (2005), include:

... biological factors which are associated with psychological symptomatology; material factors which institutionalize the diagnosis and treatment of mental health problems as madness; and gender inequalities and inequalities in heterosexual relationships which legitimate masculine power and control. (p. 32)

In this conceptualization, she also discusses economic factors, destructive relationships, social class, and gender norms (especially as related to education and employment opportunities), having children or not, marriage, having a history of abuse or trauma, social isolation, treatment, ethnicity, and sexuality as material factors in leading to mental distress (Ussher, 2005).

Critical realists “do not deny the reality of events and discourses; on the contrary, they insist upon them” (Bhaskar, 2011, p. 17). Critical realism positions me to accept – rather than deny – the lived and material experiences of distress and the associated physiological and psychological effects, yet to recognize that this distress is a complex product of social discourse as well as culture, language, and politics (Bhaskar, 2011; Ussher, 2011). Pilgrim and Bentall (1999) suggest that in a critical realist standpoint, reality is not seen as socially constructed but instead as mediated by our epistemological standpoint which is concerned with how methodological strategies that are used to investigate reality are shaped by social forces. Critical realists seek to reconcile the bio-medical approach and the psycho-social properties that are experienced, while at the same time acknowledging the undeniable effect that culture and historical context have on individual experience.

Ultimately, critical realism is a perspective through which we may acknowledge the “social and political realities of people’s suffering in a way that prevents them from being relegated to the margins of theoretical understanding” (Lafrance & McKenzie-Mohr, 2013, p. 134). While social constructionist approaches have been useful to resist biological reductionism, they risk denying the lived, material realities of peoples’ lives that may lead to experiencing distress (Lafrance & McKenzie-Mohr, 2013; Pilgrim & Bentall, 1999; Ussher, 2010). The “realist” aspect of a critical realist approach understands that there are realities that exist beyond our representations of them (Cromby & Nightingale, 1999). It is therefore important to maintain

a holistic understanding, which allows us to legitimize individuals' distress without pathologizing their pain. I take as my point of departure that mental distress, insofar as its material psychological, somatic, and social impacts, are experientially real. I recognize Ussher's (2005) material-discursive-intrapsychic model, which understands the many factors that produce emotions and behaviours that are traditionally labelled as mental health problems, such as depression, by acknowledging the role of both discursive representations and individual experiences of distress.

### **Operational Concepts**

The intended meaning of a concept must be concretized in order to demonstrate its relation to the study (Frankfort-Nachmias & Nachmias, 2007). Accordingly, it is crucial that I delineate a number of key operational concepts that are employed in this research before discussing the methods employed for the project.

### **Mental Distress**

Like the many critical scholars who have come before me (see, for example, Lafrance & McKenzie-Mohr, 2013; Parker, 2015; Parker et al., 1995; Pilgrim, 2005; Pilgrim & Rogers, 1993; Pilgrim & Bentall, 1999; Rimke, 2016a, 2018; Ussher, 2005, 2010, 2011), I deploy the term mental distress as it most accurately reflects my epistemological standpoint and the material experiences of mental health challenges. Notably, this term is not intended to reflect the psychocomplex's conceptualization of distress (which recognizes it as a symptom as opposed to a label), but rather reflects a broader, sociological perspective. I intentionally do not take up the term mental illness as this terminology can be stigmatizing and reflects the central premises of the medical model, which asserts that a mental illness is inherently a disease which alters biological structure and functioning and consists of an internal pathology that can be categorized,

diagnosed, and cured by biomedicine (Dej, 2012; Kilty & Dej, 2018; Rimke, 2016b; Ussher, 2011). While there are, of course, recognized biological underpinnings of psychiatric disorders and a general consensus that mental disorders are “afflictions of the mind,” it is the ways in which these disorders are perceived, diagnosed, and treated on the experiential level that, from a critical standpoint, I take issue with. The result of recognizing only the biological or medical underpinnings of mental distress (and, notably, not all psychiatric disorders are linked to biological substrates) is that it implicitly places the problem to be dealt with as solely within the individual, without recognizing the multiplicity of factors or structural contexts that may also be playing a role in their experience.

Deploying the term mental distress acknowledges that an individual’s experiences of mental health are relational and inherently complicated by their environment (Pilgrim, 2005; Pilgrim & Bentall, 1999; Rimke, 2016a; Ussher, 2010, 2011). This is also particularly salient in prisons where distress is exacerbated by the lack of control women have over their environment, body, and mental wellbeing (Robert, Frigon & Belzile, 2007; Rimke, 2016b; Rimke & Brock, 2019). Conceptualizing mental health challenges as mental distress also reflects my epistemological standpoint, where I acknowledge the constructed nature of mental distress within society, while also recognizing the materiality of women’s experiences. As Ussher (2011) contends, using terms such as “madness” or “distress” “reminds us of [their] function as signifier(s) of pathology, without reifying [a] psychiatric diagnosis, or the position of women’s distress as ‘illness’” (p. 5). I recognize mental distress as the material somatic, psychological, and social experiences as they are shaped by culture, language, and politics (Ussher, 2011). My conceptualization and understanding of the manifestation of distress is seen in overt emotional expressions such as anger, sadness, frustration, and fear as well as through physical actions and

expression such as through self-injury and varying exhibitions of defiance; notably, these emotions and actions are not *a priori* interpreted as symptoms<sup>20</sup> or characteristics of a neurobiological illness.

I will, at times, refer to certain diagnostic categories (for example, depression, anxiety, post-traumatic stress disorder) in certain contexts, because, as Ussher (2011) notes, “they form part of the language within which we are taught to understand our distress” (p. 4). Nevertheless, I view these terms through a critical lens, such that diagnostic categories reflect “beliefs about madness and sanity in a particular place at a particular point in time” (Ussher, 2011, p. 4). These terms are used frequently throughout CSC text and records – expectedly so, given the positivist nature of CSC research, which steadfastly upholds the medical model (see Stewart & Wilson, 2017). The terms are also used often by the women themselves, which suggests some degree of internalizing psy medical discourse, especially after their time inside where they are under the psy-medical gaze and responsabilized to engage with rehabilitation discourse in order to “recover” and reduce their risk prior to release. I also recognize that referring to diagnostic categories allows individuals an explanation for the way they feel and to conceptualize and understand their distress as something that is valid and treatable (Lafrance & McKenzie-Mohr, 2013). Indeed, as Hornstein (2013) writes, “every account is real to the person who conceives it and whose experiences it makes sense of” (p. 36). I accept that these diagnostic labels are part of my participants’ reality and will consider the ways women speak of their mental distress “not as gibberish...but instead as meaningful and accurate ways of making sense of their own minds and life histories” (Hornstein, 2013, p. 32).

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<sup>20</sup> It is also important to consider here that any behaviour pattern, including language, discourse, and what are thought to be symptoms, are polysemic in nature. In other words, considered broadly, behaviours can have different meanings for different people depending on macro-, meso-, and micro-dimensions.

Relatedly, there are times throughout this dissertation when I use the language of *mental health needs*; this will occur when referring to language in a programming document or echoing the language that a participant herself uses. CSC often denotes mental health concerns and emotional distress as mental health needs in textual documents, research reports, and webpages when they identify a prisoner who requires access to mental health services (Derkzen et al., 2012). Mental health needs in this context will refer to individuals who require access to mental health intervention and services as related to perceptions of mood disorders, depression, anxiety, substance use, psychosis, and personality disorders (see Derkzen et al., 2012).

### **Psy-complex**

In this dissertation, I deploy the term psy-complex to broadly describe how psy-medical systems of knowing are embedded in the carceral logics that govern women prisoners. The psy-complex is the dominant governing apparatus in constructing and defining “Truths” of mental distress in society. Rimke (2018) asserts that we can understand the psy-complex as a hegemony “operat[ing] on different social levels and through multiple social mechanisms that blame the individual...eras[ing] the social context and social bases of women’s distress and suffering” (p. 17). Rimke (2010, 2016a, 2018; see also Rimke & Brock, 2012) also provides a framework through which to understand the psy-complex and its roots in the biopsychiatric paradigm; the psy-complex pivots on notions of “psychocentrism,” which views mental distress as individual biologically based flaws or deficits and in which “individual reformation rather than social and economic justice is promoted” (Rimke, 2016a, p. 5). Indeed, psychocentrism is the central governing logic mobilized by the psy-complex. The issue with psychocentrism, certainly from a critical realist standpoint, is that distress is only considered to come from impaired cognition,

neurochemical failures, mutant genes, and hormonal imbalances, while social and structural inequalities and deficits are largely negated (Rimke, 2018).

Experts working within the psy-complex include psychologists, psychiatrists, social workers, psychiatric nurses, and psychotherapists<sup>21</sup> (Kilty & Dej, 2018; Rimke, 2016a, 2018). Psy discourses, or the diagnostic structures and interlocking web of psychiatric and psychological language that underpin psy-practices, are the dominant governing regime in prisons, where the medical model is relied on to “know” and regulate prisoners (Kilty & Dej, 2018; Rimke & Brock, 2019; see also Duguid, 2000). The psy-complex is further comprised of practices, discourses, language, experts, and techniques that seek to legitimate, disseminate, produce, and utilize psy-truths (Rimke, 2016a, 2018).

## **Resistance**

Resistance is a term that has many different meanings (Bosworth & Carrabine, 2001). For CSC staff, resistance may mean that a prisoner is defying authority, viewed as a failure to comply, a manipulation, and anti-social behaviour (Chartrand, 2016). For critical scholars, resistance identifies where power is located and is the employment of strategies to assert agency and contest the conditions of one’s position or treatment (Bosworth & Carrabine, 2001; Chartrand, 2016; Munn & Bruckert, 2010). Indeed, resistance is a commonly used term in the social sciences and is often mobilized to address “the constructed nature of power and reality, without losing sight of a more partisan and ideological struggle” (Bosworth & Carrabine, 2001, p. 503). Munn and Bruckert (2010), in developing a model to analyze resistance, identify the

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<sup>21</sup> It is worth noting that while I am critical of the psy-complex, I do not believe that all professionals working within it cannot serve the needs of those who seek out professional help or that harmful pathologization is *always* the result of their expertise. I value the psy experts who have expanded their lens, take a sociological approach to their practices, see mental health as holistic, and understand that mental health challenges can be a result of the complex interplay of the systems and structures that guide our social world.

objectives, purposes, strategies, tactics, and skills that are drawn upon by prisoners as they engage in resistance, which allows us to appreciate the significance of individual social, personal, or political capital. Further, in a Foucauldian sense, resistance illustrates how power is not absolute but relational (Foucault, 1982). Prisoners may resist and counteract gendered stereotypes despite the forces of coercion to which they are vulnerable (Chartrand, 2016).

By studying practices of resistance in prison, we are not only able to acknowledge prisoner agency, but we are also able to see the connections between “everyday actions and broader social inequalities” (Bosworth & Carrabine, 2001, p. 503). Resistance involves rejecting the ideals and values that sustain power relations (Faith, 1993). Indeed, power and resistance cannot be described as separate entities – they are relational and shape one another. I operationalize resistance in the Foucauldian sense to allow me to understand the nature and circulation of power. I identify resistance in participants’ stories which show that they do not experience incarceration passively (Bosworth & Carrabine, 2001; Chartrand, 2016; Munn & Bruckert, 2010) and are instead active agents despite living in a constricted environment with limited tactics available to resist. Prisoners may engage in varying strategies of resistance that are tied to their lived experiences outside of prison. Depending on their own positionality, some prisoners are more constricted in displaying acts of resistance than others, which speaks to the ways that broader social inequalities and power relations come to shape acts of resistance (Bosworth & Carrabine, 2001; Chartrand, 2016; Munn & Bruckert, 2010).

### **Research Methods**

This section reviews the two data collection methods used to conduct this study, namely the unobtrusive method of textual analysis and in-depth, semi-structured interviews. Using supplementary data sources, this qualitative study provides a comprehensive image and map of

how women in Canadian federal prisons are institutionally assessed and processed when it comes to their mental health needs, the different programs they are required to participate in, and how they experience mental health interventions.

## **Data Collection**

### *Plan A: Triangulated data sources*

This project started with three different plans for securing data and one optimistic doctoral student. “Plan A” involved interviewing 25 formerly incarcerated, federally sentenced women; 10 CSC employees (including staff at National Headquarters and those who work on the penitentiary frontlines); and examining programming documents acquired through an Access to Information request, with the goal of developing multiple lines of site into the data through triangulation and a more comprehensive image of the research problem. To that end, I first applied to conduct external research with CSC’s research branch in March of 2019.

Several weeks later, I received an email from the research committee rejecting my application. The committee had taken issue with my reference to “mental health programming,” stating that this does not, in fact, exist (indeed a problematic red flag). The comments from the research committee made it clear that they did not understand the terminology or language I was using; they continually asked for clarification of terminology in the proposal for words like “constitute,” “discursive,” and “textual data.” For example, the committee questioned what I meant by “seeking to gain a holistic understanding of how incarcerated women’s mental illness is constituted through prison programming”. Another comment required clarification about the “discursive context” in relation to a research question that asked, “how does mental health programming discursively represent women with mental health needs?”

This clear lack of understanding demonstrates CSC's inability to acknowledge language outside of government rhetoric. CSC's inability to move beyond "state-speak" further highlights a stubborn rejection of research approaches outside of their own positivist paradigm in which they seek only to discover an existing reality or "Truth" (Kilty, 2014b; Martel, 2004). CSC's refusal to acknowledge research that does not deploy "state-speak" reveals positivism as the only acceptable approach to conducting research, leading primarily to narrow, policy-oriented strategies of knowledge production. As Martel (2004) states, "It should not be news to anyone that academic institutions, connected as they often are to private and governmental sources, tend to orient knowledge and marginalize particular structures of thought" (p. 162). The subsequent impact of this approach that dominates their production and dissemination of research, then, is a failure to recognize approaches to research that attempt to explore the discourses upon which policies are created or how something like gender might be problematically constituted within the institution's policy and practice.

By policing language in external research proposals, particularly that of more theoretical, critical, or social justice-oriented projects, the government engages in methods of protectionism to regulate the production and dissemination of knowledge (Hannah-Moffat, 2011; Martel, 2004). This strategy of institutional protectionism by government agencies is a way to manage their reputation and maintain the integrity of the institution by ensuring the wall of secrecy stands tall, a barrier for any researcher (academic, journalist, or otherwise) to attempt to uncover what lies behind.

Returning to the application process, I made it explicitly clear that my application to conduct research with CSC employees was only one of three data sources and a small part of the larger project. The research committee, however, took to critiquing the project as a whole and

questioning the entire methodology, which was approved by my doctoral committee and the Research Ethics Board at the University of Ottawa. They commented on my ability to carry out the research when my research statement and research questions “were not at all reflected in the interview guide submitted,” and questioned how I could “map out decision-making processes using the given methodology.” I was asked to clarify the textual data to which I was referring in the overall project description, despite this not being part of the specific application; they also stated that they required further information on the recruitment of formerly incarcerated women for the project, critiquing my recruitment process, again despite this not being a component of the project for which I was seeking CSC approval as I was recruiting formerly incarcerated women who were living in the community.

Certainly, it is widely known amongst prison scholars that accessing carceral institutions for research purposes is difficult. In fact, some scholars have entirely changed their research methods as a result of this gatekeeping (see for example Kilty, 2014b; Martel, 2004; Watson, 2015; Watson & van der Meulen, 2018). Watson (2015) writes of her attempt and subsequent rejection to access CSC employees for her doctoral research on in-prison substance abuse programming and policy. Despite the “warning signs,” I pursued this participant group as I was encouraged by the words of Tara Marie Watson (2015):

I would not recommend that future researchers despair in the face of prison research access barriers... Researchers should be as persistent as they can be, in light of their time constraints and resources, and importantly, consider newer methods and concepts to navigate through the access process. (p. 352)

In the end, the CSC research committee’s dismissal of my proposal was not surprising given its reputation for rejecting external research (particularly critical scholarship) and managing their own reputation by upholding the power to produce *in situ* knowledge about federal prisons in Canada, but it also meant that I had to move on to “Plan B.”

### *Plan B: Interviews & foregrounding women's experiences*

Plan “B” of the project acknowledged the reality that acquiring access to CSC employees was going to be difficult, and in the end, impossible. In this iteration of the study, I removed one side of the data source triangle. My data sources then primarily became the lived experiences of formerly incarcerated women as reported through interviews, which I would supplement with textual data. This plan involved recruiting 25-30 participants in ten localities, including Ottawa, Kingston, Barrie, Brampton, Dundas, London, Toronto, Peterborough, Hamilton and Guelph, through the Elizabeth Fry Society, the Salvation Army, and other regional halfway houses and community centres that offer services to formerly incarcerated federally sentenced women.

Phase one of recruitment began in March 2019 through one Elizabeth Fry Society location, which was chosen due to a connection I had to a staff member. In May 2019, I then sent introductory recruitment emails (e.g., with preliminary information about the research and who I was) to the nine remaining locations. I received only one response – from the Executive Director of a different Elizabeth Fry Society location who agreed to place my recruitment posters in the halfway house and committed to sharing it with the residents at the next house meeting. I did not receive responses from the other locations. Understanding that summer holidays were about to commence, I did not follow up until August and September 2019, when I sent out a round of follow up emails to each location I had previously contacted. I also made phone calls and left voicemails for each potential site.

I heard back from one more of the Elizabeth Fry Society locations, where the contact said she would forward my information to the individual who would set up a meeting to discuss the project. Unfortunately, this individual did not respond to the email, nor the follow up email I sent a week later. Again, the recruitment process came to a stand-still. Feeling discouraged but not

defeated, I then started reaching out to my academic network to see if anyone could connect me personally with women who had experienced incarceration or with someone from an Elizabeth Fry agency or any other organization that works with, houses, or offers services and programming to women who have gone through the federal prison system. Emails were sent in September and October 2019, but again, the process bore no fruit. I planned on doing another round of recruitment in Spring of 2020, but the COVID-19 pandemic impacted my ability to recruit and decided to move forward with the data I had collected.

At this point I want to acknowledge a few limitations of this project and the “messiness” and complexity of qualitative research. As an “outsider” – particularly one with academic and other privileges – it was difficult to gain access through gatekeepers due to a lack of insider knowledge and network connections. Gatekeepers have a power to approve or deny access to a research setting (van den Hoonaard, 2019); when a researcher seeks permission to recruit participants for a study, gatekeepers who are unfamiliar with the researcher or who have no ties to them may be more inclined to deny access. It is more challenging when a researcher is attempting to recruit participants in locations that are far in proximity from where they reside, as there is no face-to-face interaction or in-person meetings that allow a gatekeeper to “put a face to an email,” so to speak.

Additionally, I would like to acknowledge that the population I was seeking to recruit has been well-researched, and, some would argue, over-studied. This is in part because there is a relatively small pool of potential participants when studying federally sentenced women. It is possible that for this reason, staff from the organizations I reached out to did not feel comfortable with another academic entering their space to research the “phenomenon” of incarceration. It is reasonable to expect that they are somewhat protective of the women, lest they come to feel

objectified. My lack of past involvement with this community created an immense barrier to recruiting participants and it is in hindsight that I can see that my privilege was showing.

Despite the challenges I encountered in this iteration of my research plan, I was nevertheless able to recruit eight participants at the Elizabeth Fry halfway house with which I first connected in March 2019. Following a meeting with the manager of the halfway house in March 2019, I began the formal recruitment process. House staff placed my recruitment posters on their house bulletin boards and passed along the message to the residents that a researcher was seeking participants for a study. Women were directed to call or text the phone number on the poster. I gradually recruited and interviewed nine<sup>22</sup> participants over the course of five months.

There were four criteria that participants had to satisfy in order to be included. The first criterion was that they had been incarcerated in a federal prison for women at some point between 2010 until 2019. This time frame was chosen intentionally; because the Women Offender Correctional Programming Continuum was implemented in 2010, I used this cut-off date to ensure participants were familiar with the programming documents I was analyzing. Other inclusion criteria included: participation in CSC-specific programming or any of the programs that make up the Women Offender Correctional Programming Continuum, participation in dialectical behaviour programming and/or time spent in the Structured Living Unit,<sup>23</sup> and having a mental health concern (e.g., anxiety, depression).

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<sup>22</sup> While nine women were recruited and interviewed, only eight interviews were used in this dissertation – one was omitted due to the participant not satisfying the inclusion criteria in the end.

<sup>23</sup> The Structured Living Environment, commonly referred to as the SLE (colloquially pronounced “slee”) is a separate living unit (or house) on the medium security compound that, according to CSC, is used for prisoners who are displaying suicidal or self-injurious behaviour, prisoners with “mental health difficulties,” those who have difficulty with communication/life skills/daily activities, prisoners with disabilities requiring a more supportive environment, and those who have other significant “emotional or behavioural dysregulation.” Prisoners may elect to live in the SLE but may also be involuntarily placed there by the staff at the institution. Based on anecdotes from the participants of this study, the SLE is a highly rigid and scheduled environment where there is a heavy emphasis on dialectical behaviour therapy – it is also the only place where prisoners will receive any type of focused mental health programming with dedicated mental health staff.

Interviews took place in a city in Ontario. I have chosen not to disclose the name of the city to protect the anonymity and confidentiality of my participants given that the sample size is small. I chose to recruit participants in Ontario because this region hosts the largest institution for federally sentenced women in Canada. However, this also presents a limitation of the research – that of regional specificity.<sup>24</sup> It is important to note that while in theory the programming modules are the same across institutions, programming practices and delivery may vary by region; it is also not possible to generalize women’s experiences across regions based on the interview sample in this project. Prior to the interview commencing, participants were given \$35 in cash for their participation. Often, participants expressed gratitude for the cash honorarium, telling me that they had struggled financially following their release.

The interviews enabled me to engage with Kilty’s (2014b) principles for conducting feminist research, including “voice, positionality, politics, and praxis.” Creating space for these lived experiences was paramount to ensure that I “see and understand the world through the eyes and experiences of oppressed women” (Brooks, 2007, p.55). As this project mobilizes intersectional feminism as a point of departure, it is additionally important that I attend to the experiential differences in and amongst the women themselves, recognizing that their intersecting identities (of their race, class, sexual orientation, religion, etc.) shape their narratives, perceptions, and how they experience incarceration.

Interviews are particularly useful when one is “concerned about gaining insight into the worlds of others” and to understand how participants “view, experience, or conceptualize an aspect of social life” (Kelly, 2010, p. 208). I therefore conducted in-depth, semi-structured interviews with formerly incarcerated women who participated in correctional programming and,

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<sup>24</sup> While I initially anticipated that participants would have only done time in the Grand Valley Institution for Women, there were some who also had done time at Joliette Institution for women in Quebec.

in some cases, dialectical behaviour therapy. Semi-structured interviews allowed me to use an interview guide with pre-written questions, but also to probe beyond these questions, creating a more flexible interview style where I explored the participant's narrative more deeply (Bailey, 2007; Berg & Lune, 2012). Using an in-depth style of semi-structured interview allows the participant to detail their experiences, feelings, and attitudes in ways that are meaningful for them (van den Hoonaard, 2019, p. 105). As van den Hoonaard (2019) asserts, understanding your participants' experiences from their perspective "is the hallmark of qualitative interviewing" (p. 106). In practice, in-depth interviewing involves formulating open-ended questions that go beyond the relevant, topical literature, and which provide space for the participant to speak freely and to tell her story. From a feminist perspective, this interview style is important in working to de-marginalize women's voices and centre their material experiences (Brooks, 2007; Hartstock, 1987).

The approach I took to the interview was to, as Marshall and Rossman (2016) state, "help uncover the participant's views" and to allow their perspective to "unfold as the participant views it . . . not as the researcher views it" (p. 150). It was important for me not to editorialize in the interview, so as not to sway the participant one way or another (note that ethical reflections and quandaries regarding the interview process will be addressed in the below section on ethics). While it is important to recognize the flexible nature of semi-structured interviews and that a "good" qualitative interview is one that is able to elicit a deeper narrative, it is essential to remember that in-depth, semi-structured interviews are not conversations between a researcher and participant (van den Hoonaard, 2019). Indeed, interviews diverge from conversations such that the researcher should be speaking minimally as compared to the participant, while at the same time ensuring that they are actively listening (van den Hoonaard, 2019). Admittedly, it was

difficult to sit back and not engage in (informal) conversation with my participants during the interview. I felt drawn into their stories, and it took great effort, at times, not to editorialize or outwardly identify links between participants' experiences.

Each participant had participated in at least one of CSC's programs on the WOCP continuum, including the Women's Engagement Program, Women Offender Moderate Intensity Program, Women Offender High Intensity Program, Self-Management Program, Women's Sex Offender Program, or the dedicated stream for Indigenous women (Aboriginal Women Offender Correctional Programs). Half (four out of eight) of the participants completed dialectical behaviour programming. While I did not ask participants how many times they completed the programs, some reported that they completed the programs more than once and sometimes several times. Reasons given for this included not being "ready" the first (or second) time and therefore not getting anything out of it, not being given a choice, sheer boredom, and being mandated to do so by institutional staff.

Participants ranged in age from 23 to 58 years old with an average age of 41. Five women self-identified as white, two as Indigenous, and one as Black – specifically Afro-Latina.<sup>25</sup> The number of years women spent in prison varied; one woman spent less than a year inside and two women spent over 20 years (though three are considered "lifers"), with an average length of 8.25 years inside. All participants expressed that they were diagnosed with at least one mental health issue either during their period of incarceration or before, and all but one stated that they had been diagnosed with depression at some point in their lives. There was a notable recurrence of

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<sup>25</sup> While this is not perfectly representative of Canadian women prisoners, this dispersion of race identification was somewhat unexpected. Almost half of federally sentenced women are Indigenous, but the highest number of Indigenous women are imprisoned in the prairie region (Zinger, 2017). Accordingly, I was pleasantly surprised that even in a small sample size from Ontario that there was some racial representation.

particular mental health diagnoses among participants, such as anxiety, ADHD, PTSD, borderline personality disorder, and bipolar disorder.

*Plan C: Accessing government records through ATIP*

Plan “C” is the final iteration of this project and, although in structure it differs greatly from the initial plan, it has nevertheless provided rich data and a novel research project. In this version, the primary data source shifted to the textual data that I was able to secure through an Access to Information and Privacy (ATIP) process. In receiving 11,000+ pages of records through a long and challenging ATIP process, I made the choice, upon many figurative doors of data sources closing, to centre the project around these documents and include the eight interviews I conducted with formerly incarcerated women as supplementary data.<sup>26</sup> Combining ATIP with other methods allows a researcher to overcome limitations one might encounter by solely relying on textual data (Walby & Larsen, 2011a; Walby & Luscombe, 2019a). For example, while textual data is valuable, it lacks context gleaned from lived experiences. Further, using both data sources can be crucial to understanding the organization itself (Walby & Larsen, 2011a). Using these two data sources also allowed me to view my research problem from two separate perspectives – from the points of view of criminalized women and CSC’s standpoint vis-à-vis policy and procedure – which achieves the objective I set out to produce a comprehensive map of how women are regulated in terms of their mental health needs and the

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<sup>26</sup> Despite being faced with several participant recruitment challenges, I made the decision to include the limited number of interviews I did have. While removing interviews as a data source for this project and focusing only on the textual data was possible, I chose not to hide my methodological failures to only showcase my “successes”, in which case I would have been simply “glossing over the methodological contradictions and compromises in favour of formulaic process and polished products” (Munn, 2014, p. 287). Excluding the interviews would have been an injustice to the women who shared their experiences with me; indeed, there was significant value in incorporating their insights to supplement the main data source for the project. I hope that including these interviews and discussing the challenges I faced in recruitment not only contributes to normalizing methodological complexity and messiness, but also highlights the value of lived experience in gaining a comprehensive picture of textual data.

programming in which they are required to participate. This final version of this project has allowed me to dive more deeply into government discourse, to uncover the discursive context surrounding mental health, gender, and programming in federal prisons for women.

The remaining text in this section details the methodological strategy of Access to Information that I deployed as a tool to acquire information from a federal government agency. I unpack the timeline of my process and provide a reflexive summary of the notes I recorded in my research journal, written throughout my access to information journey. Keeping a detailed account in the form of a research journal is crucial in access to information methods in the event that a researcher makes a formal complaint, which requires a comprehensive summary of the request history (Walby & Larsen, 2011a). Keeping a research journal is also crucial in demonstrating methodological rigour and reflexivity in qualitative research (Ortlipp, 2008). While I did not incorporate as data or analyze the notes and reflections from my reflexive research journal, it was an important methodological tool in the data collection phase that allowed me to keep track of thoughts, feelings, and reflections I had following each interview and throughout the ATIP process. Below, I describe in detail the complex process of accessing behind-the-scenes government data, which is an essential step a researcher must take in using access to information as a method and to contribute to this developing methodological field (Larsen & Walby, 2012; Walby & Luscombe, 2019b). To this end, I provide an honest account of the 18 months I spent accessing records from CSC, including the procedural steps, the challenges, barriers, and negotiations that are all too common in access to information requests.

In early 2018, I began a lengthy and challenging journey of information excavation (Piché, 2012), where I submitted both an informal and formal request for documents to the Correctional Service of Canada. I was seeking access to any records pertaining to: core

programming modules; dialectical behaviour therapy programming documents; intake assessment and screening documents; follow-up assessments after intake screening; institutional mental health service guidelines; policies, practices and procedures related to administrative segregation; and the prescription drug formulary (the list of drugs that CSC is permitted to prescribe). These sources would document the psy discourses and practices that are mobilized in federal prisons, and I anticipated that they would help contextualize women's experiences of mental health treatment intervention through correctional programming that would be gleaned from in-person interviews. I had also hoped that gaining access to these government records would "reveal the processes behind the creation of texts, allowing [me] to develop an understanding of the networks of agencies and chains of decisions that underlie official discourse" (Walby & Larsen, 2011b, p. 624) and were a way to access the otherwise inaccessible research cite of CSC (Walby & Luscombe, 2017). On January 11<sup>th</sup>, 2018, I submitted five separate informal requests for records that had already been requested and accessed by another individual, and on February 2<sup>nd</sup>, 2018, I submitted one formal request for information to access records that had never previously been requested or attained. Little did I know at the time that gaining access to these records would not only be one of the greatest methodological challenges of this project, but, in the end, also one of my greatest triumphs as a researcher.

ATIP requests are governed by the *Access to Information Act* (1985), which gives Canadian citizens, permanent residents, and any person or corporation present in Canada a right to access records of government institutions that are subject to the Act (Government of Canada, 2016). According to the Government to Canada, "The Act complements other policies and procedures intended to make government information publicly available, such as open government initiatives and proactive disclosure" (n.p.). The purpose of access to information is

to “enhance the accountability and transparency of federal institutions in order to promote an open and democratic society and to enable public debate on the conduct of those institutions” (*Access to Information Act*, 1985, sec. 2(1)). Upon reading this, one might believe it is a laudable intention that should be a “given” in any democratic society; the reality of accessing government records, however, stands in stark contrast. Indeed, accessing records, particularly from the Correctional Service of Canada, is not so simple in practice (Walby & Larsen, 2011b; Yeager, 2008, 2012). As Yeager (2012) states, “this notion of liberal democratic pluralism – that the ‘public’ benefits from the disclosure of government information and thus uses this information to lobby its representatives – is merely false advertising” (p. 169).

ATIP methods for researchers are methodologically valuable and growing in popularity yet are argued to be under-utilized as a method (Walby & Luscombe, 2017, 2019a; Yeager, 2008, 2012). Part of the reason for this may be because there are many limits and challenges to accessing information, despite the government’s claims about transparency and accountability. The formal process of submitting an ATIP request to CSC involves: (1) seeking out the potentially available information online as stated on the Government of Canada and Correctional Service of Canada websites; (2) mailing a paper copy of a written request form to the specific agency from which one is seeking records; and (3) mailing a \$5 cheque to the ATIP office at CSC. The government agency is then required to give written notice to the individual who submitted the request, regarding whether they will be able to access those records or not, and are expected to provide all or part of those records within 30 days. Additionally, an *informal* request allows individuals to request information that has already been requested and granted to someone else. To submit this type of request, an individual must make their selection from a list of previously gathered records published online by the government agency. Access to formally

requested records is “contingent on the intensity of ‘information management’ in any government agency, the political contentiousness of the request, the limits of the Canadian ATI law and oversight mechanisms, and the complexities of requester-agency interactions and request wording” (Larsen & Walby, 2012, p. 17).

Each government agency’s process for submitting a formal ATIP request is different; some request applications are filled out using an online system, while others are not. For example, if someone wanted to request information from the Public Health Agency of Canada, they would use the online request system, which requires that an individual submit her required documents electronically and pay online using a credit card. The system guides you through each necessary step and is straightforward. In contrast, the steps necessary to submit a formal request for records through CSC were ambiguous, unclear, and outdated.

The varied requirements for requests reflect the layers of bureaucracy created by government agencies. Layers are added when agencies establish gatekeepers of the records and create special divisions or dedicated personnel for the sole purpose of either granting or denying access to documents (Larsen & Walby, 2012; Luscombe, Walby, & Lippert, 2017; Piché, 2012; Walby & Larsen, 2011a, 2011b); indeed, they hold a lot of power in managing this information. After navigating the bureaucracy and coming to understand what, precisely, the process specific to CSC was, I discovered that I must submit (i.e., mail in) a hard copy of a one-page application document, which included filling in some personal contact information and creating a list of the records I wished to acquire, as well as providing a \$5 cheque. I completed all appropriate steps and mailed the package to the Correctional Service of Canada ATIP office on February 2<sup>nd</sup>, 2018, thus beginning the process of “access brokering” to acquire the records I was seeking.

According to Larsen and Walby (2012; see also Walby & Larsen, 2011a, 2011b), access brokering refers to the “range of interactions involved in the filing and processing of an ATI request. [It] is an interactive, mediated process” (p. 17). Brokering access to government information requires skill, ongoing reflexivity, negotiation, and in many cases, perseverance when faced with delays, refusals, and other barriers. Researchers engage in access brokering when they are seeking to uncover that which lies behind government rhetoric (Walby & Larsen, 2011b), such as getting at the texts that exist beyond what is posted to CSC’s official website regarding programming and how it is delivered. Brokering access requires negotiation between a researcher and the analyst or coordinator of the relevant government agency, as well as familiarity with the vernacular of the government agency to which the request is being submitted (Walby & Larsen, 2011b, 2012).

In the preparation stages of submitting my formal request, including being in the midst of several email exchanges with CSC’s ATIP office to ensure I understood the request process, I also sent an email inquiry about the informal requests I submitted. Government agencies are also required to respond to informal requests within 30 days, and my five initial informal requests were nearing that statutory mark. In response to my inquiry, the CSC ATIP officer wrote,

Concerning your informal requests, unfortunately we are currently experiencing a backlog in processing informal requests like these and, because of this, I am unable to provide you with an estimated completion date at this time. We are trying to complete these as quickly as possible and I apologize for any inconvenience caused by the delay.  
(CSC ATIP Office Manager)

At the time, I understood this to mean that the informal request would be processed eventually, but I also knew that I had to focus on acquiring the documents from my formal request.

On February 19<sup>th</sup>, 2018, I received an email from the senior analyst at CSC’s ATIP division seeking clarification for some of the records that I had formally requested; at the time I

thought this email was promising. It is important to note that this clarification cannot be considered written notice of whether the records are available or not. Naively, this communication led me to believe that my request was being handled, so after responding to the email with the necessary information, I put it out of my mind for the rest of the semester and carried on with other work. As April drew to an end, I realized that I had not heard back about my ATIP request. On May 2<sup>nd</sup>, 2018, I emailed the ATIP analyst who had sent me the clarification email three months prior to inquire about the records I was seeking. I did not receive a reply. I sent one more follow up email and again, I did not receive a reply. Finally, I called the number given in the email signature – no one answered the call, so I left a voicemail and a return phone number. The call was never returned. I called twice more, to no avail, before I understood what was likely happening. At this point I believed that the ATIP office at CSC was strategically avoiding the return of both my calls and emails.

At this point in time, the records I requested were still in the “processing” phase, three months past the 30-day deadline in which the government agency is supposed to produce the documents. This is known as a technique of opacity, or “the range of formal and informal attributes of access regimes that can effectively inhibit timely and comprehensive access to information” (Larsen & Walby, 2012, p. 20). I encountered the technique of opacity described as non-acknowledgement, as the government agency ignored my request and communications with their office (Piché, 2012). After a month of trying to make contact, I submitted a formal complaint to the Office of the Information Commissioner (OIC) in June of 2018. On June 26<sup>th</sup> I received an email from an investigator who was assigned to my case, and the formal complaint process began. The investigator’s job was to liaise between CSC’s ATIP department and me to resolve the request.

Two months later, on August 24<sup>th</sup>, and five months since CSC's statutory 30-day due date, I received an email from the OIC investigator stating that CSC claimed to have 18,000 pages of records related to my formal request, comprised mostly of training manuals and materials, and that they requested I narrow my search to make it easier for them to locate the documents. At this point it was unclear to me what content might be contained in the training manuals; accordingly, I told the investigator that I was unable to remove the manuals from my request.

I suggest that at least part of the reason why the delay was so significant was due to the way I worded my request. For example, using the phrasing of "all records related to..." will potentially bring up *many* records, creating a burdensome workload for a coordinator or analyst as their search net must be cast widely (Walby & Larsen, 2011a). Walby and Larsen (2011a) argue that the wording of requests can be challenging for researchers because the terminology that academics use may not reflect the internal jargon or language used in a particular agency. Walby and Larsen (2011a) posit that requests "tend to move at the pace of its most complex component" and it is therefore necessary to "critically examine request wording, bracket off records likely to be subject to consultation, and seek them through a separate request" (p. 35). Admittedly, this is a step that I should have been more attentive to. I do not explain this to absolve blame from the government agency or to justify their attempt to obfuscate the process of access. Rather, I want to recognize that in order to be granted access to information, it is essential to, as they say, "play the game."

After another month and a half, I still had not received word from the investigator or CSC about my request.<sup>27</sup> On October 8<sup>th</sup>, the 9-month mark from the initial formal request, I followed up with the investigator again. A week later, I received an email from the investigator who told me that CSC had not yet obtained all the relevant records I requested, but that they had provided a final disclosure date of December 21<sup>st</sup>, 2018. Two months later, on December 6<sup>th</sup>, I emailed the investigator to ensure that I would receive the documents on December 21<sup>st</sup>. In response, the investigator stated:

I have been advised by the Team Leader at CSC that all of the responsive records for your request will be obtained by the end of this week. Depending on the number of records the Access to Information (ATI) Office receives in total, it will either send you an interim response (a portion of the total records that have been reviewed and approved for release under the Act, and are released in advance of the remaining documentation) or a full response by January 4, 2019. (Investigator, Office of the Information Commissioner)

Perhaps predictably, I did not receive the records or hear from CSC in December.

It had now been a year had since I made my informal request and almost a year since my formal request was submitted. I made the decision not to pursue the informal request records, as they served as supplementary data, so I could focus on obtaining the programming documents and training manuals. Reflecting on the access to information literature, it is clear that over the course of a full year, CSC deployed a second technique of opacity, postponement, as a further barrier to acquiring the information. Postponement occurs when the agency goes beyond the statutory limits to which they are bound by the *Access to Information Act* (Piché, 2012). Scholars assert that these strategies of avoidance and techniques of opacity are a chronic issue in Canadian access to information regimes (Larsen & Walby, 2012; Piché, 2012). The ease at which CSC blatantly side stepped the law is troubling and highly problematic.

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<sup>27</sup> I later found out in the final report generated by the OIC that my request had sat idle at CSC for 5 months before they began working on the file, which is when they were pressured to do so by the OIC investigator.

On January 11<sup>th</sup> I received correspondence from the OIC investigator who said I would be receiving an interim response from CSC on January 15<sup>th</sup>. Her email stated:

I spoke with the Team Leader at CSC and she advised an interim response will be sent to you on January 15, 2019. The Access to Information and Privacy (ATIP) Office is experiencing difficulty obtaining all of the records from the Office of Primary Interest, which is causing the delay. I have been advised that if the ATIP Office does not obtain the responsive records by the end of this week the matter will be escalated. (Investigator, Office of the Information Commissioner)

A few days later she wrote again:

The records have been retrieved, however the Office of Primary Interest (OPI) is currently reviewing them. Once this stage is completed the records will then be sent to the ATIP Office for processing. I believe the matter would be escalated to the ATIP Director, but I will have to confirm that. (Investigator, Office of the Information Commissioner)

After a mix up with my address (I had moved since I submitted the original request), on January 30<sup>th</sup>, 2019, I finally received a partial disclosure (200 of approximately 18,000 pages) of the documents I requested, in the mail. On March 11<sup>th</sup>, 2019, I received a phone call from the investigator, who disclosed that CSC claimed my request turned up 25,000 pages of records and that they were asking me to narrow the request. This is common in access to information methods, where an agency may pressure a researcher to “compromise on the scope of the request, to revise wording, or to otherwise limit their requests” (Walby & Larsen, 2011a). It was difficult to eliminate documents when I did not know what documents I would receive or what the documents would be comprised of. After speaking with the investigator, she decided to negotiate with CSC for a more systematic breakdown of the titles of the records for me to go through. Her reply email stated:

I spoke to CSC and asked that it provide me with a more detailed list for you to review and the institution provided me with a list of the names of the records (attached). It has asked that you highlight the ones that you are interested in and leave the ones you are not interested in, as is. (Investigator, Office of the Information Commissioner)

I was able to narrow the list of 1200+ categories of records to 304, hoping that what I selected would be sufficient, especially knowing that this would likely be my only chance to attain these documents. In the end, the ATIP office at CSC advised that it would be able to reduce the page count from approximately 25,000 pages to 9,584 and provided June 19<sup>th</sup>, 2019 as the final disclosure date. Indeed, these processes of negotiation between researcher and government agency can be challenging and lengthy, often involving “bargaining, persuasion, intimidation, deception, and barriers” (Luscombe et al., 2017, p. 260).

After another three months, I received an email from the OIC investigator stating that CSC was on track to meet their stated disclosure date of June 19<sup>th</sup> – I did not receive the final disclosure, however. On June 24<sup>th</sup>, 2019 I wrote to the investigator expressing frustration that I did not receive the records in the mail. Infuriatingly, the records were again sent to my previous address, despite the investigator having corrected this with CSC and in my file after the last mailing error. The email I received on July 8<sup>th</sup> from the investigator read as follows:

I have just returned back to the office [from holidays], CSC advised that it sent the response to your request on June 26, 2019. Unfortunately, it appears that it was sent to your previous address. I have resent your latest address to CSC and asked that the final response package is resent to you. (Investigator, Office of the Information Commissioner)

A week later, on July 25<sup>th</sup>, 2019, eighteen months after my original request for information, I finally received an envelope in the mail from CSC containing a CD with 11,000 pages of federal programming documents, training manuals and materials, and institutional guidelines for incarcerated women. I was elated – I felt as though I had “beat the system!”

### **Data Analysis**

Qualitative researchers must be creative, sensitive, and flexible as we make sense of our data by breaking it down, examining its components, exploring significance, and analyzing

meanings (Bailey, 2007; Mayan, 2016). While analysis can be an incredibly laborious task, it is important to remember to trust the process (van den Hoonaard, 2019) – from the beginning stages of coding through to discovering emergent themes and theorizing about results. This section unpacks how I completed the analysis using critical discourse analysis.

### **Transcription of Interview Data**

I transcribed all eight interviews verbatim to help safeguard and immerse myself in the data (Berg & Lune, 2012). Transcription is not a passive process but an active one, where the researcher must reflect on the text, become familiar with the data, and make choices about how to represent the actions in the interview, including, for example, subtle actions, intonation, and emotion (Davidson, 2009; Lapadat, 2000). The choices a researcher makes as she transcribes depends on her theoretical position. Indeed, Bucholtz (2000) describes the ways in which the choices that researchers make about representing talk in transcripts encompass power relations, reflecting the theoretical and methodological frameworks mobilized to structure this project.

### **Feminist Critical Discourse Analysis**

Consistent with my theoretical framework, I mobilized critical discourse analysis (CDA) to consider the relations between discourse and power/knowledge (Carabine, 2001; Fairclough, 1992, 2013). Carabine (2001) states that “to understand discourse we have to see it as intermeshed with power/knowledge where knowledge both constitutes and is constituted through discourse as an effect of power” (p. 275). It is essential to examine discourses as they are so deeply entrenched in the fabric of our society that they are commonly unquestioned (van den Hoonaard, 2019). This project aims to question and investigate correctional psy discourses, who creates and mobilizes them, their gendered, raced, and classed nature, and how these exist within

the neoliberal logics that underpin mental health intervention and correctional programming in carceral spaces for women.

Additionally, I deployed a CDA method that was gendered in nature. Feminist CDA positioned me to unpack the complex ways in which women's social locations and identities play a role in how programming and mental health intervention are experienced. A gendered lens further allowed me to nuance the textual data in ways that attended to the intersecting identities and broad, interlocking systems that condition women's experiences and ultimately to unpack some of the gendered and raced discursive strategies that are employed in CSC programming documents. Finally, in mobilizing feminist CDA, I was able to attend to power/knowledge and discourse through a lens that prioritized a multi-layered understanding of identity categories and the resulting criminalization and oppression that incarcerated women experience.

Before a more detailed discussion of the CDA method, it is first necessary to conceptualize the term discourse, as it can be defined in different ways depending on a researcher's epistemological standpoint and theoretical framework. In the simplest terms, discourse can be understood as communication – including speech, texts, writing, and language (Carabine, 2001). Gee (2008), a CDA scholar in the field of linguistics, describes discourses as “ways of being in the world; they are ‘forms of life’; they are socially situated identities. They are, thus, always and everywhere social and products of social histories” (p. 3). For Fairclough, Mulderig and Wodak (2011), “discourse is an analytical category describing the vast array of meaning-making resources available to us” (p. 357). Foucault understands discourse as joined together with power/knowledge in a dialectic relationship such that discourses become dominant “Truths” through the circulation of power/knowledge (Foucault, 1978). It is only through discourse that power and knowledge are rendered visible and, relationally, discourses or “Truths”

are only constituted through power/knowledge, indeed an “interconnected triad” (Carabine, 2001, p. 267). In a Foucauldian understanding of discourse, the focus is centred on how power is operationalized through language and in understanding how “historically and social instituted sources of power construct the wider social world through language” (Cook, 2008, p. 217).

The explicitly critical nature of CDA and its commitment to progressive social change positioned me to be able to focus on power relations, inequalities and their effects (Fairclough, 1992, 2013; Taylor, 2004). CDA is an analytic method that:

Explores the relationship between discursive practices, events, and texts; and wider social and cultural structures, relations, and process. CDA explores how texts construct representations of the world, social relationships, social identities, and there is an emphasis on highlighting how such practices and texts are ideologically shaped by relations of power. (Taylor, 2004, p. 435)

For this project, CDA offers a framework for data analysis that has allowed me to “go beyond speculation” to illustrate the interconnected nature of talk (in the form of interviews), text (transcribed interviews and programming modules), and social processes (correctional policy decision-making and practice) (Taylor, 2004, p. 436)

There are other features of CDA that make it an appropriate analytic method for this project. First, it understands that the present social order is historically situated and thus socially constructed, changeable, and relative (Locke, 2004). Second, CDA assumes that power is not directly asserted on/over individuals, but instead is an effect of discursive constructions that privilege the status of some people and knowledge systems over others (Locke, 2004). Third, it understands that “human subjectivity is at least in part constructed or inscribed by discourse, and discourse as manifested in the various ways people *are* and *enact* the sorts of people they are” (Locke, 2004, p. 2).

It is important to note, however, that there is no single blueprint or official way of undertaking a critical discourse analysis – there are, in fact, many versions of this analytic method (See Fairclough, 1992, 2003, 2013; Gee, 2005; Graham, 2005; Locke, 2004; Taylor, 2004). Arguably, this is because critical discourse analysis that is informed by Foucault’s work must avoid a prescribed or systematized, essentialist method of analysis (Graham, 2005). Because of the interdisciplinary nature of CDA and its origins in linguistics, it is important to note that I take up CDA as it relates to sociological methods and theory and do not mobilize linguistic approaches that focus on breaking down language and grammar through units of words and text.

I have deployed CDA as informed, in part, by Fairclough (1992, 2001, 2012, 2013) by focusing on a social problem, identifying discourses that relate to the social problem, and reflecting critically on the analysis, as well as focusing on the effects of power relations and inequalities and the discursive aspects thereof (Fairclough, 2001, 2012). Fairclough (2012) argues that in CDA we cannot simply “apply methods” in a usual sense. CDA is as much theory as it is method and allows a qualitative researcher to analyze data given her theoretical perspective, while exploring language within broader social processes (Fairclough, 2001). In this sense, I relied heavily on my theoretical framework as the point of departure to structure the analysis, from the types of codes that I generated to the lens through which I viewed the text, including both interview data and government records.

While Fairclough’s work is useful as a point of departure to inform the analysis, I did not rely on it as a “recipe” or “formula” – I have also structured the analysis based upon Jean Carabine’s (2001) analytic method. Carabine (2001) explicates a Foucauldian approach that seeks to investigate how discourse and power/knowledge creates meaning and effects in the

world. She asserts that the aim of this analytic method is to identify the real effects of discourse and of the discourses that social policy is based upon (Carabine, 2001). Carabine (2001) provides eleven, non-linear steps or elements for completing a Foucauldian discourse analysis: (1) select your topic; (2) know your data; (3) identify themes, categories, and objects of the discourse; (4) look for evidence of interrelated discourses; (5) identify discursive strategies; (6) attend to absences and silences; (7) seek out resistances and counter-discourses; (8) identify effects of the discourse; (9) context 1 – outline the background to the issue; (10) context 2 – contextualize the material in power/knowledge networks; (11) be aware of limitations. Below I outline the CDA approach I formulated to analyze the data for this project.

“The process of bringing order, structure, and interpretation to a mass of collected data is messy, ambiguous, time-consuming, creative, and fascinating. It does not proceed in a linear fashion; it is not neat” (Marshall & Rossman, 2016). Marshall and Rossman’s (2016) assertion about qualitative data analysis could not have been more accurate for this project. The sheer volume of data I began with was overwhelming and required a rigorous sorting process, as I was dealing with over 11,000 pages of CSC records. This was a challenging yet necessary step in the analysis process, as the programming records sent from CSC were compressed into a single, highly disorganized, non-searchable PDF file (meaning that they were scans of an original document and that text could not be highlighted or searched). Sorting through the data allowed me to evaluate what types of documents were there, what was absent, what might be useful, and what might need to be left aside. I created a “table of contents” of the documents and recorded what each file was (e.g., WOCP Correctional Program Administrative File: Targets & Objectives), what it contained (e.g., goals for each program and skills needed to achieve targets), and what purpose it served (a concise list of each of the objectives for every program). As I

scrolled through the ATIP records and documented each separate record, I also saved each into its own file. At this point I did another review of the data and categorized it into “chunks” (e.g., all facilitator manuals, all administrative documents, all elder guides), which allowed me to systematically review what I sought to bring into NVivo to code and what I would leave aside for another project, which was a process I revisited periodically throughout analysis (Marshall & Rossman, 2016). These steps were necessary for me to get to know my data and to get a “sense” of what it was about (Carabine, 2001).

To further organize and “get to know” my data I employed a rigorous coding process using NVivo software. I coded programming documents and interview transcripts separately (though in the same NVivo project file) but using an identical technique. I started off with codes that I developed from the literature and theory and created codes that emerged from the data as I went along. I created a detailed codebook to organize these codes and to ensure consistency and rigour. In the codebook I kept track of all codes, as well as listed brief descriptions, definitions, and examples (Saldaña, 2015).

While coding often involves a step called “open coding,” and another called “axial coding,” where codes are collapsed into categories (Cresswell, 2006), I used a hybrid of the two that was more appropriate for the data. Because of the sheer volume of data, I coded in large chunks, also known as lumping (Saldaña, 2015). As the coding procedure continued, I ensured that I was revising and reorganizing codes as necessary and collapsing ones that belonged in other categories. I continued to make sense of my data throughout this process, keeping analytic memos as I went along, which are important in qualitative data analysis as they help the researcher keep track of insights and reflections, which is “invaluable for generating the unusual

insights that move the analysis from mundane and obvious to the creative” (Marshall & Rossman, 2016, p. 221).

By the end of the coding process, I had completed the first three elements in Carabine’s (2001) guide: select your topic; know your data; and identify themes, categories and objects of discourse. I moved on to the next elements in her guide and also relied on Fairclough’s method to further sort through and analyze my data. I started by considering the social problems related to the discourses (Fairclough, 2012), and then I examined the different discourses that had begun emerging, reflected on the origins of those discourses, searched for absences and silences in the data, looked for resistances and counter-discourses, and identified discursive strategies (Carabine, 2001). I relied heavily on the memos I took throughout the coding process, which allowed me to return to the reflections I made pertaining to my data as discourses emerged.

I “oscillated” between addressing specific texts and discourses or the social structuring of language (Fairclough, 2003, p. 3), as I sought to understand the discursive object or function of participant narratives and program texts (Graham, 2005). My analysis sought to “explicat[e] statements” that may “privilege particular ways of seeing and that codify certain practices,” paying attention to the discourses that produce certain discursive subjects and/or objects (Graham, 2005, p. 10). Grounded in a governmentality framework, the objective of the analysis was not to discover what is “True” but how “objects might become formed” (Graham, 2005, p. 11). The substantive analysis chapters detail the results of this analysis process, the discourses that emerged, and the context of these discourses (element 10 and 11 in Carabine’s guide), providing quotes from the data as evidence.

## **Ethical Reflections, Questions, and Dilemmas**

Rarely are ethics in critical scholarship straightforward – indeed, they can be complex, messy, and contradictory; nevertheless, they are part and parcel of doing qualitative research and it is imperative that we address them with honesty and reflexivity (Guillemin & Gillam, 2004; Kobayashi, 2001; van den Hoonaard & van den Hoonaard, 2016). In this section I unpack some of the more important ethical questions and reflections that developed throughout this project. I make the point here of attending to ethical complexities that arise in qualitative research with human participants, particularly with a group of people who are considered to be a marginalized population. I address the ethical quandaries and questions I encountered as frankly as possible in an effort to normalize some of the dilemmas that researchers often face but tend to shy away from describing in their writing.<sup>28</sup>

Social scientists have particular ethical obligations because they are delving into the lives of human beings (Berg & Lune, 2012). As Guillemin and Gillam (2004) contend, there are two different ways of considering ethics in research: procedural ethics, which are the necessary steps taken to conduct research with human subjects (i.e., securing REB approval), and ethics in practice, which includes the deeper ethical qualms that occur in the field.

### **Procedural Ethics**

Procedural ethics for this project involved seeking approval from the Research Ethics Board at the University of Ottawa and ensuring that I abided the core principles set out in Canada's official *Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans*. Prior to conducting each interview, I sought free and informed oral rather than written

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<sup>28</sup> There is a notable silence in the literature in terms of disclosing the ethical dilemmas that researchers face in the field, one that goes beyond procedural ethics and expected ethical challenges (such as potentially causing discomfort or distress in an interview, for example). While I understand that it can be easier to brush these experiences under the proverbial rug, I believe that this does an overall disservice to qualitative research.

consent from the participant to further ensure confidentiality and anonymity. The benefit of oral consent is that there is no record of participant names, which is helpful when interviewing people who may otherwise decline participation, who may face stigma for interacting with a researcher, or who may be vulnerable due to their involvement with the justice system (Berg & Lune, 2012; Duffy, 2008; van den Hoonaard & van den Hoonaard, 2016). Participants expressed relief when I discussed the oral consent process, stating that they have had to “sign their life away” at many points – while incarcerated, at the halfway house, with parole officers, psychologists, counsellors, social workers, and the list goes on. Upon reflection, I recognize that not having to sign their name made participants feel immediately more comfortable and open. It also allowed participants to assert their agency more fully, affirming their participation without the potentially triggering action of having to sign their name on “another piece of paper.”

To maximize my confidence that participants were indeed giving informed consent, I provided their honorarium immediately following greetings and introductions and prior to beginning the formal interview process. I also allowed participants to choose their own pseudonym. Where the ethical messiness lies, however, is in the guaranteeing of complete anonymity. As the van den Hoonaards (2016) say, “true anonymity (when the identity and name of the research participant is unknown to the researcher) is virtually impossible in qualitative research. Face-to-face interviews . . . make pure anonymity as unlikely as a monarch butterfly in the Arctic tundra” (p. 39).

Indeed, this became my reality during the course of the interviews – although I did everything I could to maintain anonymity, my presence in the halfway house ensured that some housemates and staff were aware of who was participating. However, I came to realize that most participants did not mind being seen with me; many even told their friends that they were doing

an interview. I had to check in with staff when I arrived at the house and they had to unlock the private meeting room for me. Moreover, due to the nature of the supervisory role, staff know exactly where the women are at all times. Despite these challenges surrounding anonymity during data collection, I ensured anonymity by removing from the transcript any identifiable information, including altering names of cities, towns, or particular geographic markers, as well as the names of other people (family members, guards, psychologists, nurses, etc.) that participants brought up during the interview.

While I could not guarantee the purest form of anonymity, I was able to guarantee confidentiality. According to Ogden (2008), confidentiality means “that information shared with researchers will not be disclosed in a way that can publicly identify a participant or source” (p. 111). When it comes to guaranteeing confidentiality, it was important that I employ an “ethics-first” perspective, as described by Palys and Lowman (2010):

Researchers who adopt this perspective are not prepared to throw research confidentiality into the trash bin of history, and thus feel obliged to pledge confidentiality without any *a priori* limit—save for mandatory reporting laws—knowing that there is a theoretical possibility that, given the current state of Canadian law, such a pledge could land them in jail. ... They weigh the value of confidentiality against any third-party interests that seem plausible sources of lawful challenge, and have faith that courts will continue to find favour of protecting research-participant confidentiality. According to this perspective, it would be unethical for research participants to pay the price for any mistakes that researchers might make, in which case *ethics-first researchers are prepared to go the distance to ensure that research confidentiality is not violated.* (p. 280; emphasis added)

This is contrary to a “Law of the Land” philosophy, which Palys and Lowman (2010) describe as when research ethics is subjugated to the law and when researchers, in the event of a conflict, “choose to comply with a lawful order to disclose confidential research information” (p. 273).

Returning to the oral consent process, participants were told of potential risks (of psychological discomfort or distress), that they could terminate the interview at any time, that they could pause the interview, refuse to answer any question, and that they could withdraw from

the study any point prior to thesis defence. Following the interview, participants were debriefed and given a list of services and contact information to access if they experienced any psychological discomfort after recounting experiences that may have been traumatic. It is noteworthy that upon being given the list of services, most women chuckled and explained either that they had a very good support system at the Elizabeth Fry halfway house in which they were living and felt more comfortable speaking to a staff member there as opposed to, as one woman said, calling a “random phone number for help.” Others told me that if they felt the need to discuss things, they would rather bring it up with their own therapist or counsellor.

### **Ethics in Practice**

The complexity of ethics in practice (Guillemin & Gillam, 2004) is particularly important to reflect on throughout the course of a research project. Indeed, there are ethical challenges that any social scientist might face when she endeavours to extract data from a marginalized population. The ethical implications of peering into other people’s lives, asking them to bare their emotions, and having the potential to impact the lives of participants in some way are many and varied, and feminist researchers have an ethical responsibility to acknowledge and mitigate these to the best of their ability (Kobayashi, 2001; Munn, 2014).

Kobayashi (2001) questions, “How does one overcome the inequality between researcher and subject that is imposed by the researcher’s position of relative power, which may be expressed in terms of class, education or access to resources?” (p. 57). This is an important question in this study where the participant group is marginalized and many came to the interview space with different experiences of trauma, childhood neglect and abuse, experiences of intimate partner violence, financial precarity, and varying levels of education. Not only was I entering into the interview with a particular motive – writing a PhD dissertation and obtaining a

degree – but I did so from a position steeped in privilege in terms of my class, race, education, and access to resources (Kobayashi, 2001). Part of the ethical messiness that a researcher must grapple with is that she may never be able to reconcile the obvious division of power and privilege between participants and the researcher (see Munn, 2014 for a thoughtful reflection on grappling with these ethical dilemmas).

The only resolution I could come up with for this dilemma was to continue engaging in “committed scholarship” (Kobayashi, 2001) or “public criminology,” which Currie (2007) describes as a criminology that “takes as part of its defining mission a more vigorous, systematic and effective intervention in the world of social policy and social action” (p. 176). To engage in committed scholarship, I conducted this project using qualitative methods and a critical approach, and in the interest of engaging in a public criminology, I will do more than disseminating my findings in the academy. This may involve partnering with community organizations and engaging with the media and the public by translating findings into terms that are easily understood (Kilty & Crépault, 2016; Kobayashi, 2001; Uggen & Inderbitzin, 2010)<sup>29</sup>. Nelund (2014) suggests that feminist public criminologists must commit “not only to social change of any type as public criminology is, but to social justice and transformative change” (p. 71). She further asserts that it is essential to commit to transformative change by engaging with “counter publics,” or groups that are excluded or oppressed. Ultimately, committing to public scholarship must “involve an ethical and moral commitment to working with community organizations and the affected publics” (Kilty & Crépault, 2016, p. 625) – a goal I strive toward as an academic.

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<sup>29</sup> The robust body of literature on public criminology cannot be sufficiently summed up here. See Currie (2007) for a more detailed overview of and argument for public criminology, and for a discussion on feminist public criminology more specifically as it pertains to this project see Nelund (2014) as well as Kilty and Crépault (2016).

I also considered how I would ethically navigate the unique boundaries of receiving the participants' stories. I reflected on how I would choose to position myself in the field as an academic and how I would come to recognize the potentially unforeseen and unintended impacts of my study (Jewkes, 2014); but this is not as straightforward as it seems. Indeed, this aspect of "ethics in practice," receiving stories, requires that researchers continually negotiate their position and grapple with the ethical quagmires of "appropriating stories for [their] own ends" (Munn, 2014, p. 293). How does a researcher listen to her participants' stories, transform them into data, code and decode them, structure, theorize, and present her own version of them, while still honouring the original story? Raju (2002) refers to this as "epistemological violence" (p. 174) and it is an ethical dilemma that has plagued me since I began to conduct interviews. This interpretive authority is particularly salient for the feminist researcher who must grant the participant interpretive respect "without relinquishing [her] responsibility" to understand an experience herself (Borland, 1991, p. 64). But what was the solution, ethically speaking? In the end, I was respectful to the women whose stories I received by allowing "their own truths to emerge while still critically engaging with their stories" (Munn, 2014, p. 294).

## **Conclusion**

I end this chapter by reflecting on a series of questions posed by Gillian Balfour (2020):

How do we call attention to prison conditions and demand the end of prisons, and maintain a human connection to those confined? This continues to challenge critical criminologists. By studying the prison are we reifying it? Are we eroticizing the prison rather than decentering it? Is being a critical criminologist enough, or, rather the same as being an abolitionist? Are we exploiting former prisoners by wanting evidence of the pains of their imprisonment? (Balfour, 2020, p. 301).

These are important questions to grapple with; indeed, it is imperative that critical criminologists reflect on their methods and their impacts to make certain that we are not eroticizing, exploiting, or decentering the prison and prisoners through our research. Balfour's comments forced me to

reflect on, question, and grapple with my own motivations and the impact of my work, although I do not believe that these questions can be answered simply. They reflect ongoing challenges that criminologists must continue to unpack as an active and ongoing process. To briefly reflect on Balfour's questions, we must call attention to prison conditions through academic research and continuously grapple with the challenge of eroticizing the prison through our research. To overcome this, it is imperative that the abolitionist agenda remain at the forefront of prison scholarship. In this project I have sought to further understand correctional programming for federally sentenced women, and while short-term changes that alter the conditions of confinement for caged women are important, I intend to continue advocating for abolitionist ideals, such as decarceration, systemic changes such as decolonization, and working toward removing structural barriers for which criminalized people are incarcerated. I continue to grapple with Balfour's question of whether we exploit former prisoners by asking them to recount the pains of their imprisonment – but I believe that as long as I (and other scholars in the field) remain committed to public criminology and the abolitionist agenda, we can continue to uncover that which CSC attempts to keep from the eyes of the public.

This chapter systematically unpacked the methodological framework deployed in this doctoral project. I have detailed the data collection and analytic methods I deployed as well as the methodological challenges, barriers, and complexities that I encountered. I have described my epistemological standpoint and operationalized several key terms that I mobilize in this thesis. I now turn to the substantive analysis, where I begin by detailing the correctional programming process for federally sentenced women according to CSC records.

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## CHAPTER 5 – Mapping the Correctional Programming Matrix

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### **Introduction**

This chapter serves as a bridge between the literature, theory, and methods chapters I used to set up this dissertation and my analysis chapters. Its purpose is to “map out” how federally sentenced women are assessed and processed in terms of their mental health needs and risks, the CSC-mandated programs they are required to participate in, and how the programs are delivered. I describe the details of the programming and mental health intervention processes for federally sentenced women – from the first point of contact at intake, through the institutional determination of programming streams they are required to partake in, to “graduating” from the programs and transitioning into the community. Using the records acquired from my ATIP request as the main data source, this chapter explores an otherwise unfamiliar process, one I must unfurl and describe prior to unpacking the discourses that emerged from my analysis of program content. The intention is to provide an overview of CSC’s correctional programming matrix and introduce some of the main critiques and points of analysis that will set the stage for a larger discussion of the discursive themes I developed by way of empirical and theoretical analysis.

### **Setting the Stage: Mapping the transition from “provincial” to “the pen”**

When federally sentenced women arrive at any CSC federal institution, they undergo an extensive intake process. For some, the transition from a provincial detention centre (colloquially known as “provincial”) is initially welcome, as the federal penitentiaries (often referred to as “the pen”) offer a reprieve – albeit a temporary one – from the archaic, violent, and violating conditions that prisoners often experience in provincial jails. For example, participants described feeling freer upon their arrival at the penitentiary:

Honestly, I was ecstatic when I got to GVI. Which sounds really weird but after spending 3 weeks in provincial, I would not wish that on my worst enemy. That was the worst experience of my life. So being able to leave provincial and go outside and see a tree for the first time in almost a month... I was just so happy, I was ecstatic. I was just so happy, I walked in there and everything looked so spacious – you walked in there and it looks like a regular building. There was no gates, there was no huge doors—it, it wasn't what I expected. (Alicia)

Another participant recounted:

So, when I first got to GVI after being in provincial detention maximum security for six months, it felt kind of freeing. I actually... I was in trial and I ended up pleading guilty because it was like torture in the provincial system, it was so horrible and I knew when I got to the penitentiary there would be some fresh air instead of getting stuck inside all the time and that I could have my own clothes and I could have a TV. So I ended up just telling them, send me to the pen. ... But yeah in general it was good at first. It didn't stay that way. But compared to what I was dealing with in provincial it was positive, it felt kind of like...freedom. At first. (Dana)

While these feelings of “freedom” may be fleeting, it is clear that women, at least initially, welcome being transferred to a federal penitentiary.

The full intake process spans a total of 90 days where prisoners must partake in a variety of procedures including interviews, screenings, and assessments, all of which are mandated by the *Corrections and Conditional Release Act*. During the official Intake Assessment Process, prisoners are assigned their security classification by way of an actuarial assessment tool called the Custody Rating Scale. The Custody Rating Scale is a “research-based tool used to assist in assessing the most appropriate level of security for the penitentiary placement of an offender” (*National Correctional Program Management Guidelines Document*). As I discussed in chapter two, actuarial risk assessment tools have been long critiqued by critical scholars, especially with regard to women prisoners (see Hannah-Moffat 2005, 2015, 2018; Hannah-Moffat & O'Malley, 2007; Montford & Hannah-Moffat, 2021). Not only are these tools based on normative assumptions that are problematically gendered and racialized, but they also presume that risk factors are the same across all populations of people in the penal system (Hannah-Moffat, 2005,

2015, 2018). The actuarial risk assessment tools deployed redefine what is considered a risk by conflating risk with a woman's needs, or the dynamic characteristics that shift the likelihood of "recidivism" and are considered to be changeable with programming (Hannah-Moffat, 2005). Indeed, Hannah-Moffat (2005) argues, "By focusing on the linkage of need to recidivism, a narrow understanding of need can be effortlessly coupled with risk" (p. 29). This hybridization of risk/need is a style of governance and technology of power mobilized through neoliberal logics. In other words, prisoners are considered "risky subjects" who must then, throughout the duration of their sentence, transform into a rational, risk-managing subject who "chooses" to protect against hardships such as unemployment, poverty, family trauma, substance use, and past experiences of violence (Hannah-Moffat, 2005, 2015). For Indigenous women, discrimination is "built into" these actuarial tools such that their social history is not considered to be a mitigating factor and they accordingly "experience harsher conditions of confinement because the CRS does not consider how items on the scale interact with Indigeneity" (Montford & Hannah-Moffat, 2021, p. 4). Prisoners must carefully manage their own risks and needs by engaging in correctional programming, using the cognitive behavioural strategies they are taught, and "taking ownership" of their past and present choices.

Extensive information (including, for example, police reports, judge's comments, prosecutor's comments, history of criminal activity – both provincial and federal – a Gladue Report if applicable, and young offender history) is gathered from and about each newly admitted prisoner, all of which is added to her institutional file. Prisoners are also required to complete an orientation process and must answer a multitude of questions as outlined in a variety of supplementary intake assessments that include a mental health screening and assessment, a

psychological risk assessment, a substance abuse assessment, and an educational assessment (Commissioner's Directive 705-5, 2017).

During this time, the Program Identification Tool is deployed to determine the “appropriate” required programming stream for each prisoner (*National Correctional Program Referral Guidelines Document*). The Program Identification Tool compares a prisoner's assessed level of risk and the number of violent offences<sup>30</sup> with the program selection criteria “in order to determine the most appropriate program intensity and stream for the offender” (*National Correctional Program Management Guidelines Document*). The result is what CSC calls an “Identified Program Need,” which “indicates the correctional program identified during the Integrated Correctional Program Model intake assessment process as being required to appropriately address an offender's risks and needs” (*National Correctional Program Management Guidelines Document*). At this point, some subjectivity is permitted by the Correctional Program Officer, in concert with the Parole Officer and the Primary Worker (who together comprise the case management team), who can “override” a prisoner's placement in a correctional program and refer her to another program stream or intensity level (either higher or lower) that was not indicated in the Program Identification Tool. For example, a prisoner who has been assessed as moderate risk/need but who has “demonstrated a pattern of violent behaviour not reflected in her convictions or in the [Custody Rating Scale]” will receive a program placement override to a moderate intensity program, despite being placed initially in a lower intensity program such as the Women's Engagement Program (*Women Offender*

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<sup>30</sup> Prisoners who are identified as “non-violent” will be required to participate in the lower intensity program stream and participate in fewer programs (sometimes only the Women's Engagement Program), while prisoners who are assessed as “violent” will be placed in the high-intensity program stream, meaning they will be in programming for a longer duration and required to participate in more programs than a prisoner who has been assessed as “non-violent.”

*Correctional Program Override Form*). For an override to a lower intensity level, on the other hand, there must be a “presence of significant factors, mitigating risk, that warrant a reduction in program intensity level” (*Women Offender Correctional Program Override Form*).

The results of these assessments, evaluations, screenings, and interviews during the intake process are summarized and compiled into the prisoner’s Correctional Plan. A Correctional Plan details the type and level of intervention required for an individual, the objectives for their behaviour throughout their sentence (e.g., penitentiary rules and conditions of any type of release), programs and interventions required to manage their assessed risk, and any court-ordered obligations (e.g., victim restitution) (Commissioner’s Directive 705-6, 2019). In other words, it is the Correctional Plan that determines a prisoner’s security level, program stream, and required aspects of psy-intervention (if any). Correctional programming is prioritized as the primary intervention for prisoners, above, for example, educational programs, such as the Adult Basic Education Program, or employment programs, such as CORCAN. While prisoners may participate in these other programs throughout their sentence, all required programming as per their Correctional Plan must typically be completed first.

### **From Intake to Intervention: Mapping Women Offender Correctional Programming**<sup>31</sup>

Following the 90-day intake process, after prisoners have been assessed by way of a variety of different tools and have begun “adjusting” to prison life, their mandated correctional programming commences. This section provides a systematic overview of the available correctional and mental health interventions for federally sentenced women. The objective is to tell the “story” of how women are processed through the correctional programming matrix, to enhance our understanding of how women are responsabilized to become accountable, self-

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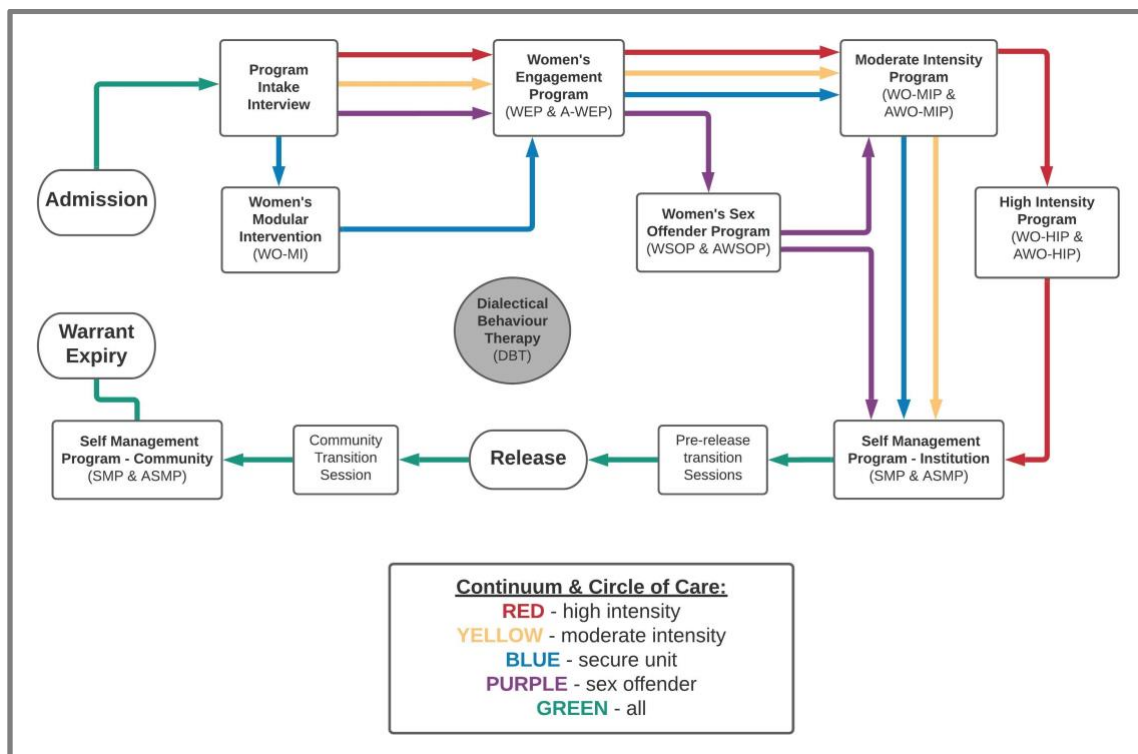
<sup>31</sup> The term “offender” is used here and will similarly be used throughout the remaining analysis chapters as I am simply replicating the titles of the CSC programs.

disciplined, and empowered individuals capable of managing their risks and addressing their needs both in the institution and upon release. Throughout this section, I outline the structure and sequence, the objectives, and the procedural details of each program stream.

Figure 5.1 below provides a visual depiction of the map I generated to better reveal the assessment process. It is a re-imagined version I created of a CSC chart found in the administrative programming files to help visualize and further understand the ways in which women move through correctional programming and mental health intervention under CSC supervision. The map was also generated based on the information gathered and analyzed in all programming records I reviewed and is an expanded and more detailed version of a similar chart found in the programming documents. The map is a visual aid and reference point for readers as I review each of the programs offered to federally sentenced women.

**Figure 5.1**

*Correctional Program Map*



As depicted in Figure 5.1, Indigenous women move through the program stream in the same way as non-Indigenous women. Notably, however, because Indigenous women tend to be assessed as higher risk/need than non-Indigenous women, they are more likely to be placed in a higher intensity program stream or to receive very little programming at all as they are more often placed in high-security settings where programming may be scant (Martel et al., 2011; Montford & Hannah-Moffat, 2021; Montford & Moore, 2018; Wesley, 2012). The programs have identical goals and objectives, introduce and develop the same skills, and have the same requirements of participants. The key differences between the two are that the Indigenous stream is, according to CSC, “culturally relevant” and “responds to the specific issues faced by Aboriginal women offenders” by incorporating cultural teachings and ceremonies (*National Programs Descriptions Document*). The Indigenous programs are facilitated by an Indigenous Correctional Program Officer and an elder is expected to be present and to be actively engaged in the sessions. There is also a difference in some of the language and terminology deployed; for example, women in the Indigenous stream work toward a “Healing Plan” instead of a “Self-Management Plan” as in the non-Indigenous programs.

Lastly, there is, according to CSC, a focus on the social history of Indigenous peoples in Canada and an effort to highlight the resilience of Indigenous women. While I critique CSC’s approach to Indigenous “corrections” and analyze this in more depth in subsequent chapters, at this point it is worth noting that regardless of CSC’s stated attention to the effects of colonization, Indigenous women are taught that they are accountable for and must “make the choice to do something about” the lasting effects of colonization and intergenerational trauma (*Aboriginal Women Offender Moderate Intensity Program Facilitator Guide*). This framing effectively individualizes the legacy of settler colonialism and sidesteps discussions of the need

for systemic and structural social transformation to counter the impacts of this legacy on Indigenous Canadians. It is also where we clearly see evidence of neoliberal logics and responsabilization discourses – in other words, Indigenous prisoners are responsabilized to manage the risks associated with their trauma and the impacts of colonization. In the mutually constitutive logic of risk/need, prisoners must self-govern and prudently manage their own risk, including both their histories and current issues they are facing (Hannah-Moffat, 2015; Martel et al., 2011; Montford & Hannah-Moffat, 2021). The deeply problematic nature of the Indigenization of programming for and responsabilization of Indigenous women prisoners will be revisited and critiqued in more detail in chapters six and seven.

### **Correctional Programming ‘versus’ Mental Health Intervention**

CSC makes a distinction between correctional programming and correctional mental health intervention. Indeed, the Continuum of Care and Circle of Care models do not include dialectical behaviour therapy (DBT), which CSC clearly identifies as a mental health intervention. I have included DBT programming in Figure 5.1 because it is a mental health program option for *some* women, despite the fact that – unlike the Continuum and Circle of Care programs for women – it is not directly connected to any of the other correctional programs. CSC’s “official” mental health programming, or DBT, is reserved for those who present serious mental health needs or a “disorder of thought, mood, perception, orientation or memory that significantly impairs judgment, behaviour, the capacity to recognize reality or the ability to meet the ordinary demands of life” (*Corrections and Conditional Release Act of 1992*, Sec. 85). Additionally, DBT is only offered to prisoners who are housed in the Structured Living Environment and is intended for women with high emotional distress needs and who display self-destructive and/or suicidal behaviour, emotional dysregulation, severe interpersonal

relationship problems, unstable and low self-image, and cognitive disturbances and distortions (*Women-centred Training Program Facilitator Manual*).

A correctional program, on the other hand, is defined by CSC as “a structured intervention that targets empirically-validated factors directly linked to offenders’ criminal behaviour, in order to reduce re-offending” (*National Correctional Program Management Guidelines Document*). Intensive psychological and “corrective” intervention remain separate under this rhetorical guise, regardless of CSC research that suggests almost 80% of women in federal prisons meet the criteria for a “mental disorder” (Brown et al., 2018) and despite the notable gap in the provision of intermediate mental health care for those whose needs may not be acute (Bernard et al., 2019).

While CSC overtly rejects the integration of mental health and correctional intervention, these interventions often target the same variables, notably, women’s relationships, emotions, self-image, and changes in thinking patterns. While the term “mental health programming” is not part of CSC vernacular nor is it an identified CSC intervention,<sup>32</sup> my analysis of the programming documents reveals that the Continuum and Circle of Care models are grounded in cognitive behavioural therapy and dialectical behaviour therapy approaches that concentrate on issues that are inherently tied to mental health (e.g., trauma, substance use, and emotional distress). It is without question that the correctional programs are rooted in psy-discourses that are designed to alter the psyche and “improve” thinking and cognition (a topic which I explore

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<sup>32</sup> This was also made clear to me in an email that denied my request to conduct external research with CSC. The research officer who responded to my request to explore mental health programming responded by saying: “*There is a clear and distinct difference between correctional programs and mental health interventions (“mental health programming” is not terminology that refers to a program offered by CSC). Correctional programs within CSC have a clear focus on reducing reoffending and promoting reintegration – they function within a set of guidelines. Mental health interventions have a separate framework, set of guidelines and a different focus (i.e., improving the mental health of women)*”

further in chapters six and seven). In examining the history of CSC programming, this focus on cognition is due to the implementation of a “new” medical model in corrections in the late 1970s that considered crime to be the outcome of individuals’ insufficiently developed cognition (Duguid, 2000). The way to “fix” faulty cognitive capacities was not to educate prisoners and teach them *what* to think but to target their cognitive skills and teach them *how* to think (Duguid, 2000).

Correctional programming for federally sentenced women is based on what CSC terms the Continuum of Care (for non-Indigenous women) and the Circle of Care (for Indigenous women). Within the Continuum and Circle of Care models there are three separate correctional program streams: The Women Offender Correctional Program stream (WOCP), the Aboriginal Women Offender Correctional Program stream (AWOCP), and the Women Sex Offender Program stream (WSOP). Additionally, a program entitled the Women Offender Modular Intervention (WO-MI) is offered as a front-end intervention for women who are living in maximum security units prior to beginning the (A)WOCP stream. All programs address prisoners’ “problematic behaviour linked to crime” by focusing on and enhancing their “abilities to use skills and coping strategies and provide opportunities to practice those abilities as they continue to address problematic behaviour linked to crime” (*Women Offender Correctional Programs Administrative File Document*). The overall goal of each program offered on the Continuum or Circle of Care is, according to administrative documents, to assist participants to prepare for, build, and enhance their ability to live a balanced and crime-free lifestyle after their release from a correctional facility, thereby reducing recriminalization. Participants are expected to become “agents of change on their journey,” something I discuss at length in the following chapters. Next, I review each program in turn, beginning with the program intake interview.

## **Program Intake Interview**

The first point of contact when it comes to correctional programming for federally sentenced women (note: the first box following admission on the map above in Figure 5.1) is the program intake interview, where a correctional program officer conducts a semi-structured interview to explore what each woman's "vision for the future" is, and discusses "her goals for change, her protective factors, her risk factors, her problematic behaviour, and her high risk situations" (*Women Offender Correctional Programs Administrative File Document*). During the interview, the facilitator reviews the program targets and objectives and women are then asked to sign the *Consent to Participate in a Correctional Program* form. The requirement of prisoners to sign a consent form to participate in a required intervention should not go unnoticed. Given that prisoners do not have a choice to complete their mandated programming to be released, unless they are willing to wait until warrant expiry date, should they *not* complete the programming their release or parole will be delayed; the appearance of "choice" through "consent" is, ultimately, coercive (Moore & Hannah-Moffat, 2005). This is one of the ways in which CSC more subtly controls prisoners through less overt forms of coercion (Moore & Hannah-Moffat, 2005). Indeed, the only "choice" prisoners are given is to engage in self-governance to "achieve" rehabilitation; they are responsabilized to participate in their own change process under the guise of "liberalized" punishment (Moore & Hannah-Moffat, 2005, p. 97). Notably, I will unpack this argument in further detail in chapter seven.

## **Women's Modular Intervention Program**

Women in maximum security units who have "caused a moderate to high degree of harm and women who present with a moderate to high risk to re-offend" may first be required to complete the Modular Intervention Program before moving on to the (A)WOC stream (*Women*

*Offender Correctional Programs Overview Document*). This program is intended as a “front end intervention program for women who cannot or may not participate in other correctional programs” (*Women Offender Correctional Programs Overview Document*). While the Modular Intervention Program has similar objectives to the programs that make up the Continuum and Circle of Care models, it is designed specifically for small groups or individuals in maximum security units. This program is comprised of 15 modules, five of which are specifically designed for Indigenous women, and is delivered in one-hour sessions. The Modular Intervention Program modules are more flexible than the other programs, such that they do not require a specific sequence and participants only complete the modules that are related to their identified risks and needs. The main goal of this program is similar to that of all of the other correctional programs in that it encourages women to “develop behaviours that lead to pro-social outcomes” (*Women Offender Correctional Programs Overview Document*). Participants in these programs are “empowered to choose positive relationships, to manage emotions, develop self-regulation skills, improve healthy communication, and develop relationship skills” (*Women Offender Correctional Programs Overview Document*). It is worth noting that these objectives are nearly identical to the program objectives for each of the other program streams.

As with the other programs and the women’s correctional programming model more generally, the Modular Intervention Program is premised on neoliberal logics of individual choice and responsabilization. The onus of change and “improved” self-regulation, emotions, communication, and relationships lay with prisoners, where their criminalization is constructed as an individual problem to be solved rather than a result of structural oppression and marginalization (Rimke, 2018). By responsabilizing women to “choose” to engage in their rehabilitation through self-governance, it all together fails to acknowledge that women’s

experiences of criminalization may very well be tied to broader structural factors and life circumstances outside of their control (Kilty, 2012a; Pollack & Kendall, 2005; Rimke, 2018).

### **Engagement Programs**

Following the Program Intake Interview (and after the Modular Intervention Program for those who were required to complete it), all women must begin with and complete the Women's Engagement Program (WEP) or the Aboriginal Women's Engagement Program (AWEP). The Engagement Program is a mandatory pre-requisite for all future programming on the Continuum and Circle of Care models and "provides an opportunity to enhance motivation for change" (*Women Offender Correctional Programs Administrative File Document*). Regardless of whether a prisoner is participating in the Sex Offender Program stream or residing in the Structured Living Environment, everyone must participate in and "successfully" complete an engagement program. The focus is on "welcoming women to the institutional community, actively engaging them as agents of change in their own treatment, supporting them as they make the transition from the community to the institution, and raising their awareness of problematic behaviours" (*Women Offender Correctional Programs Administrative File Document*). Engagement programs are also supposed to provide prisoners with coping skills to use as they adjust to the traumatic experience of incarceration (*Women Offender Correctional Programs Administrative File Document*). The Engagement Programs consist of twelve sessions delivered over a period of three weeks, where each session is approximately two hours in length. Like all programs, WEP is delivered by a trained Correctional Program Officer, and AWEP is delivered by an Indigenous Correctional Program Officer and an elder. There is a maximum of 10 participants allowed per program.

CSC asserts that the goal of (A)WEP is to engage participants to understand how thoughts impact behaviour (*Women Offender Correctional Programs Administrative File Document*). The program is designed to educate women on their “problematic behaviours” and to “help” them understand how these behaviours impact their lives from a “women-focused perspective” (*Women Offender Correctional Programs Administrative File Document*). In this case, mobilizing a women-focused perspective involves considering how women’s relationships and emotions may cause their problematic behaviours (*Women Offender Correctional Programs Administrative File Document*). According to the *Women Offender Correctional Programs Administrative File Document*, the objective of the Engagement Programs is for participants to prepare for, build, and enhance their ability to live a balanced and crime-free lifestyle after their release from a correctional facility. Of course, this objective is based on the assumption that a woman is able to rehabilitate herself in a punitive environment where she is “locked away by the same people who play an active role in her therapeutic process” (Moore & Hannah-Moffat, 2005, p. 97). What CSC fails to recognize is that even if women choose to engage in the “corrective” strategies that they learn throughout their participation in programming, reduce their risk level, and “achieve” rehabilitation, their life circumstances outside of incarceration remain the same; in other words, they are released to the same conditions that may have led to their involvement with the criminalization system in the first place.

### **Moderate Intensity Programs**

For women who have been assessed as moderate to high risk at intake and who have been identified as having moderate to high needs, the second program they are required to take is the Women Offender Moderate Intensity Program, also known as WOMIP, and AWOMIP for Indigenous women. This program continues to “engage and support participants as agents of

change” (*Women Offender Correctional Programs Administrative File Document*). Participants are also taught grounding techniques, visualizations, meditations, mindfulness, and relaxation exercises to aid them in developing stronger coping skills that are said to facilitate their rehabilitation (*Women Offender Correctional Programs Administrative File Document*) – notably, strategies which are reflective of the central tenants of a dialectical behaviour therapy model (McDonagh et al., 2002). The goal of this program is to continue challenging participants about problematic behaviour in a way that empowers them to alter future behaviour (*Women Offender Correctional Programs Administrative File Document*). Participants work toward creating a Self-Management Plan, or for Indigenous women a Healing Plan, which is intended to “help them reach their vision for the future” (*Women Offender Correctional Programs Administrative File Document*).

The Moderate Intensity Programs are delivered in 40 consecutive sessions that last around two and a half hours each and five individual sessions where women meet one-on-one with the program facilitator. The (non-Indigenous) program includes five modules: emotions, sexuality, relationships, spirituality, and attitudes and associates. The Indigenous stream is comprised of four longer modules, including: emotional, physical, relational, and spiritual modules. The AWOMIP program is slightly longer than the non-Indigenous program at 44 sessions and 2.25 hours each session and promotes the development of a “positive personal and cultural Indigenous identity” (*National Programs Descriptions Document*). As I explore in greater detail in chapters six and seven, this notion of “achieving” rehabilitation through connecting with one’s cultural identity is rooted in colonial logic. Not only is Indigenous identity defined through colonial terms and based on a pan-Indigenous, generic version of Indigeneity (Martel & Brassard, 2008; Martel et al., 2011; McGuire & Murdoch, 2021), it is offered as a

solution for “healing” Indigenous women’s supposed criminality. As McGuire and Murdoch (2021) note, “Claiming one’s identity is a complicated process that requires a person to work through years of colonial control, patriarchal identity restrictions, and oppression” (p. 13). For Indigenous women prisoners, engaging in this seemingly benevolent and progressive version of correctional programming may be far more complex than CSC acknowledges.

### **High Intensity Programs**

The high intensity program, also referred to as WOHIP, or AWOHIP for Indigenous women, is the third program on the Continuum and Circle of Care models and targets women who are assessed as having high needs and a high risk to reoffend. The high intensity programs build on the material learned through the other programs on the Continuum and Circle of Care. Women who participate in this program continue to work on their Self-Management Plan or Healing Plan. The goals and objectives of this program are identical to the other programs, although there is a greater emphasis (achieved through longer modules and varied program content) on emotional and self-regulation, nurturing relationships, creating boundaries and self-awareness, and problem-solving (*Women Offender Correctional Programs Administrative File Document*). (A)WOHIP is the longest program on either the Continuum or Circle of Care models, lasting 52 consecutive group sessions at 2.5 hours each with five additional individual one-on-one sessions with the facilitator, where participants attend programming every day of the week for half the day. The program for Indigenous women is longer still, with 58 group sessions and four individual sessions. The program is divided into the same five modules as WOMIP, and the same four modules as AWOMIP.

## **Women's Sex Offender Program**

The Women's Sex Offender Program is for women who are identified as "having sexually offended and who have been assessed as having a moderate or high risk to reoffend" (*National Programs Descriptions Document*). Women who are required to complete Sex Offender programming as per their correctional plan will begin this stream following the engagement program. This program is offered in lieu of a moderate intensity program for those who are identified as moderate risk and is offered in conjunction with a moderate intensity program when a woman is identified as high risk (Figure 5.1 indicates two directional arrows from the Women's Sex Offender Program box, demonstrating that some prisoners will complete a Moderate Intensity Program, and others will move directly from the Sex Offender Program to the Self Management Program). The Sex Offender Program is comprised of 59 group sessions that are two hours long and seven one-on-one sessions. The focus of this program is to "enhance the ability of women offenders to use skills and coping strategies, and to provide opportunities to practice those abilities as they continue to address problematic behaviour linked to crime, in addition to sexual offending" (*National Programs Descriptions Document*).<sup>33</sup>

## **Self-Management Programs**

The final program that women complete on the Continuum and Circle of Care models is the Women Offender Self-Management Program, or SMP, and ASMP for Indigenous women. The Self-Management Program is offered to all women in the institution and is usually completed after the other programs on the continuum; notably, it can be considered optional, as determined by a parole officer. This program is also offered to women immediately before their

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<sup>33</sup> That this program offers "avenues for change" for people convicted of engaging in sexual harm challenges Spencer's (2009) position that in our neoliberal society, the sex offender is considered unchangeable, "gripped by a nature or biology that is completed depraved and thus, intolerable" (p. 219).

release and/or once released into the community. Self-Management programs focus on “enhancing strengths, solidifying coping strategies, and increasing self-awareness” and are based on relapse prevention principles where participants “have the opportunity” to develop and implement their own Self-Management Plan or Healing Plan (*Women Offender Correctional Programs Administrative File Document*). The central tenant of this program is that it serves as “ongoing support and practice both in the institution and in the community.”

When the Self-Management Program is completed inside the penitentiary, CSC asserts that it may assist women in “retaining healthy lifestyles prior to release, so they do not lose ground,” and that it helps to prepare women for the stress of release (*Women Offender Correctional Programs Administrative File Document*). When it is offered in the community, the stated intent is to provide women with ongoing support after having left the institution and to “refresh” them on skills learned and to address their risk upon release. The program is open to all individuals who, with the input of their parole officer, elect to participate to “maintain changes in their problematic behaviour” and it is also highly encouraged for women who have completed WOMIP and WOHIP. SMP is comprised of 12 two-hour sessions delivered on a weekly basis, lasting about twelve weeks in total. As I will discuss in chapter seven, (A)SMP is a program that women may take multiple times throughout their sentence. Often, women who acquire institutional charges, who are sent to segregation, or who display active signs of resistance and disruption are required to re-take (A)SMP as a way to encourage their “return” to the “path of rehabilitation,” indeed a subtle but a punitive action (Moore & Hannah-Moffat, 2005).

### **Completing the Map: Program Graduation and Release Transition**

Once a program has concluded, participants “graduate” and either move on to the next required program, as per their Correctional Plan, or are considered to have completed the

programming necessary for their rehabilitation. The program officer completes a report for each individual that summarizes their participation and effort throughout the program. Participants who are compliant with instruction, who actively participate in skills practice and group activities during sessions, who complete the required homework, and who submit journal entries and consistently complete their emotion management logs receive a different completion report and certification than those who did not. For example, participants who were not “successful” in the program but attended all twelve sessions receive an alternate Certificate of Completion that indicates simply that they were present but did not engage as they were instructed to in program requirements (*Women Offender Correctional Programs Administrative File Document*).

Prior to release, prisoners may meet with a program facilitator for pre-release transition sessions. “By providing a safe and supportive venue for closure, the sessions help facilitate the transition from the institution to the community.” (*Aboriginal Women Offender Correctional Programs Facilitator Documents*). The sessions provide an opportunity to prepare for release by helping participants “consolidate the skills and insights they have gained in programs” (*Aboriginal Women Offender Correctional Programs Facilitator Documents*). Participants review their Self-Management Plan or Healing plan, set goals for the future, and make plans for what they may need in the community, including supports and community resources. These sessions are optional and are said to provide a short review of key “take aways” from the Continuum and Circle of Care programs.

While the above map seems to suggest that cascading through the federal penitentiary system and required programs is a straightforward and smooth process, viewed through a critical lens we see that the realities for prisoners may be much different. Indeed, women may experience many barriers and challenges when it comes to their programming path. For example,

a prisoner may not be able to begin a program once her correctional plan and programming stream has been established due to program capacity – it may either be full and she would be added to a waitlist, or there may not be enough people to run the program at the time so she would have to wait until there are enough participants. In both cases, the impacts are far reaching, particularly when it comes to parole. Prisoners are told that to be released on parole, they must complete the mandatory programs set out for them in their correctional plan. One participant said, “Yeah. They’re like if you don’t complete WEP you’ll get parole but you’re not leaving until it’s completed. ...it’s mandatory” (Alicia). Megan similarly recounted that she would not be released on parole until she completed her programming:

The WEP and the [sex offender program] were mandatory... I wasn’t getting parole unless they were done. So basically if you want parole and you get told you have to take a set amount of programs that are CSC mandatory, you don’t complete them, you ain’t getting parole.

Another participant had her parole hearing delayed by a month: “I mean I got my parole hearing in February but technically based on when I got there it could have been in January” (Lisa). The consequence, then, of not completing required programs in time is either a delayed parole hearing or a delayed release. This would mean that a prisoner spends more time incarcerated, inevitably delaying contact with family and friends, employment opportunities, and (for some) better living conditions; in other words, prisoners continue to endure the hardships, violence, and punitiveness of the prison if they are unable to begin their required programming in time.

Prisoners may also face other barriers that contradict the straightforward programming pathway that CSC outlines. Their program participation may be interrupted by being sent to segregation where they do not have access to programming (Hannah-Moffat & Klassen, 2015); upon their release from segregation, a prisoner would then have to begin the program again or, as I discuss in more detail in chapter seven, they are required to re-complete the Self-Management

Program to be “re-programmed.” Thompson and Rubenfeld (2013) found that women who experienced at least one segregation event during their sentence had lower rates of participation in programs and lower “successful” program completion. The case was worse for Indigenous women who completed programs at a rate of 33% lower than for women who had not been in segregation during their period of incarceration. Program completion is therefore required to be cascaded to lower security levels (Thompson & Rubenfeld, 2013).

Indigenous women may face identity challenges in choosing whether to participate in either the Circle of Care program stream or the Continuum of Care – indeed, Indigenous identity can be complicated for some women who are expected to adopt an institutionally imposed version Indigeneity (Martel & Brassard, 2008; McGuire & Murdoch, 2021). In the same way Chartrand (2015) suggests that prison systems disappear violence through institutional logics that legitimate it through claims of maintaining institutional security, they also disappear these smaller, subtle barriers to and challenges of program participation through similar logics which, in turn, increase the punitiveness of the austere institution in which prisoners are caged.

## **Conclusion**

This chapter systematically mapped out the correctional programming and mental health interventions required for federally sentenced women, from intake, through program participation, to release, while also laying the groundwork for a more detailed analysis that will follow in the next two chapters. It also provided a brief snapshot into some of the critiques of correctional programming that will be presented next. Because these documents (e.g., facilitator guides, administrative guidelines, and training manuals) have not been the object of criminological research to date, it was imperative that I provide an informative knowledge base

from which not only the next two chapters can unfold, but also upon which further scholarship may be developed.

The following chapters provide a critical analysis of the programming described in this chapter. As a critical feminist criminologist, I argue that the very nature of CSC's correctional intervention is problematic for many reasons, namely that its primary goal is to reform and rehabilitate prisoners into gendered and productive neoliberal subjects who become empowered to "choose" to avoid "problematic behaviours," a goal that completely disregards the criminalization, marginalization, and other oppressions and disadvantages that flow from women's intersecting identities and interlocking systems of oppression. The remaining two analysis chapters "peel back the layers" of correctional programming and the discourses on which it pivots. I uncover the relations between discourse and power/knowledge and identify the effects of the discourses that circulate in CSC programming for women. Next, I explore gendered emotion management and how women and their mental health are discursively constituted. I also detail the discursive strategies deployed by CSC to rehabilitate federal women prisoners.

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## CHAPTER 6 – Managing the Hysterical Woman: Gendered Regulation & Responsibilizing Self-Governance

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### Introduction

It is undeniable that, upon entering a period of incarceration, prisoners may experience many forms of mental distress – from feelings of isolation, loneliness, fearfulness, deep sadness and hopelessness, and heightened levels of stress and emotion (Chartrand, 2015; Fayter & Payne, 2017; Laishes, 2002; Maidment, 2006). This chapter explores the gendered ways in which the prison discursively constitutes women as mentally distressed and motivated by their relationships and their emotions, and how correctional authorities manage women and their mental and emotional distress through the correctional programming matrix, predominantly by responsabilizing them to engage in self-governing strategies to regulate their emotions and “achieve” rehabilitation. According to CSC and the (Aboriginal) Women Offender Correctional Programming ([A]WOCP) documents, women’s emotions are at the root of their criminalization; when women are unable to control their emotions, it results in what CSC calls “problematic behaviours” that “lead to crime.” The pervasiveness of emotion management in correctional programming for women is deeply rooted in the age-old gender trope that women are (over)emotional, irrational, and hysterical. This chapter unpacks this underlying gendered trope and the neoliberal ideals and psy knowledges that inform correctional programming for federally incarcerated women to examine how they constitute women as both risky and at risk via discourses and practices that situate them as emotionally out of control. I further demonstrate how these regulatory discourses implicitly seek to control women not by exerting power *over* them, but rather *through* them.

Throughout the chapter I draw on two bodies of literature – the critical feminist criminological literature, which I explored in chapter two, and the governmentality literature, which I unpacked in chapter three. I mobilize these areas of scholarship to help me analyze the programming materials (including facilitator guides, training manuals, and administrative documents) that I acquired through an Access to Information and Privacy (ATIP) request. Additionally, I use quotes from interviews with formerly incarcerated women to highlight their lived experiences of the issues considered in the textual data analysis. By deploying a critical discourse analysis through an intersectional lens, I strive to unpack the discursive strategies, describe the inter-relationships between discourses, ascertain forms of resistance and counter-discourse, and identify the effects of discourses that are relevant to correctional programming, mental distress, and emotion management for women prisoners (Carabine, 2001).

The chapter begins with a review of the key theoretical concepts I mobilize to analyze the data – namely, discourse, power, and knowledge – and then proceeds to investigate three of the gendered ways in which women are “known” and represented in prison programming documents. I specifically discuss how women prisoners are discursively constituted in the textual data in relation to their sexuality, relationships, and experiences of mental distress. The second section of the chapter delves into the most pervasive gender discourse that is at the root of women’s correctional programming – emotion management and the gendered regulation of women’s emotions in the carceral context. I also deploy an intersectional lens to explore how Indigenous women’s emotions and distress are represented in different ways than are non-Indigenous women’s emotions. The final section of the chapter interrogates the “self-monitoring” tools and strategies that women are taught in programs.

## **“Truths” about imprisoned women: Discourse, power, and knowledge**

To review, discourses create meaning and serve as a framework that guide social practices and appropriate conduct (Carrabine, 2000; Foucault, 1991). By critically analyzing the CSC programming material, we see the ways in which power circulates through prisons – indeed, it is through power/knowledge that gender discourses inform the very building blocks of “gender responsive” programming for women. As I highlighted in chapter three, individuals who are in positions of power (e.g., correctional staff, psy experts) control and define what is considered “Truth” – it is these “Truths” that dictate how women are to behave; that women are encouraged to self-discipline and self-regulate reflects the overarching neoliberal ideology that structures correctional interventions. These “Truths” are rendered visible through correctional programming documents – the manuals provided to program facilitators, elders, and prisoners, as well as the manuals used to train staff on the “unique nature” (*Women-centred Training Program Facilitator Guide*) of incarcerated women and how gender responsivity is practiced. In these documents, women are framed as emotionally out of control, which leads to “harmful thinking” (motivated primarily by their relationships) and ultimately to their “problematic behaviours.” The hysterical woman is also the angry woman, or any woman who is experiencing mental distress; she is told that her emotions are the reason for her criminalization and failures. While of course both men and women have emotions, men’s emotions are not pathologized and categorized in the same ways (Barrett & Bliss-Morneau, 2009). For women, their over-reactivity, self-regulatory processes, and emotional deficits are pathologized and become tied to their criminalization, while for men their anger is accepted as a normative emotion and reaction (Barrett & Bliss-Morneau, 2009).

This section unpacks the ways in which CSC correctional programming documents constitute women prisoners, including their behaviour, personalities, and overall mental health. The ways that women are known are dictated by regulatory discourses that are underpinned by gendered scripts, myths, and tropes that are so deeply entrenched in our society and culture that we often fail to question them (Bruckert & Law, 2018; van den Hoonaard, 2019). As discussed in chapters three and four, knowledge is produced through discourse, and it is the relationship between power and knowledge that allows these gendered scripts, myths, and tropes to persist. Femininity, in particular, “is a set of cultural or social ideals concerning what a girl or woman should be” within a patriarchal system (Schippers & Grayson Sap, 2021, p. 29). We “do” femininity (and masculinity) while performing expected social roles through interactions with others, and we therefore (re)produce gender relations by following the established norms (West & Zimmerman, 1987). Within traditional femininity standards, women are “known” as naturally nurturing, passive, docile, and sexual (but not too sexual) beings, discourses that are rendered visible through understandings of how power/knowledge functions (Foucault, 1978). These “Truths” about women are validated and circulate through relations of power because they are defined by and reproduced through political and economic institutions, such as the media, the government, the legal system, and medical and psy complexes (Bruckert & Law, 2018; Kilty, 2014a, 2018). Below, I unpack three particular “Truth” discourses about women – as sexual beings, as relational beings, and as mentally disordered – that I uncovered in the programming documents.

### **Women as Sexual Beings**

CSC programming frequently emphasizes women’s bodies and their sexuality. In fact, one whole module of the Women Offender Moderate and High Intensity Programs is dedicated

to sexuality. Placing such emphasis on sexuality is, arguably, premised upon the ongoing regulation of women's bodies. For example, in the Madonna/whore dichotomy we see women divided into "good girls" and "bad girls" – women are expected to be sexual but not *too* sexual and are responsabilized to fit within this narrow, dichotomous framing (Bruckert & Law, 2018; Kilty & Frigon 2006, 2016). It is in this discursive framing that we see neoliberal responsabilization via slut shaming, the problematic propagation of rape myths, and victim blaming; when women are "unable" to control their own sexuality and a traumatic event follows, they are blamed. The following quote is from one of the Women Offender Correctional Programming documents and is a particularly salient (and worrisome) example of this discourse:

For many women, their sexual experiences may have been negative or traumatic. Therefore, it is important that participants identify ways to decrease negative experiences and avoid revictimization, and ways to increase positive experiences.  
(*Women Offender Correctional Programming – Checklist Document*)

On the surface, this message may seem positive – to reduce the trauma that accompanies a negative sexual experience. Yet it also evidences the kind of victim blaming women experience in relation to traumatic sexual experiences. While it is acknowledged that criminalized and imprisoned women often have past experiences of sexual trauma or assault, the text simultaneously responsabilizes women to "move on" from these experiences and find ways to create more "positive" sexual encounters by *avoiding (re)victimization*. This trope is reminiscent of the rape myth that women invite sexual attacks because of their wardrobe. Rimke (2018) suggests that psychocentrism encompasses victim blaming as it justifies holding individuals responsible for negative outcomes, including traumatic life experiences, which is precisely what is evidenced in correctional programming material.

What remains entirely unacknowledged in this text is that women are more likely to be sexually assaulted or to have a traumatic sexual experience with someone they know. Mahony,

Jacob, and Hobson (2017) found that sexual assaults which were brought to the attention of police were overwhelmingly (79%) committed by someone the victim knew, either an acquaintance, a family member, or intimate partner; that sexual assault is primarily committed randomly by a “deviant stranger” is a prevalent rape myth or “real rape” trope (Bruckert & Law, 2018).<sup>34</sup> Accordingly, when CSC programs blame women for their past experiences of sexual assault and are simply told to “avoid it,” they are failing to reflect the realities of women’s victimization, and that simply avoiding a family member or spouse is often not an option for some women.

The programming documents continue with these problematic narratives:

Frequently there are connections between sexual experiences and substance abuse, such as with prostitution, engaging in unsafe sexual practices, being or *putting yourself at risk for sexual assault*, using substances to suppress trauma memories, using to suppress “coming out”, difficulties setting limits (boundaries) while under the influence, to numb physical pain from sex, etc. (*Women Offender Correctional Programming – Checklist Document*; emphasis added)

Again, women are responsabilized for managing their sexual experiences and blamed when they are unable to do so. This is particularly concerning when we consider that many criminalized women engage in sex work to earn an income and for survival – in this context, their choices of work and their subsequent actions are not only pathologized but are also considered a risk to be managed.

The above quote is also rooted deeply in not only a prevailing gender discourse, but also the individualism that characterizes neoliberalism. Victimization, criminalization, and marginalization are framed as individual problems to be solved through self-governance and

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<sup>34</sup> While the perpetrator in unreported cases of sexual assault is unknown, it is less likely that they would be a stranger and more likely that they would be a person known to the victim, given that women are more likely to report sexual assaults committed by strangers to the police than those committed by individuals who are known to them (Friis-Rodel, Letch & Astrup, 20201).

“responsible” choice-making (Dell et al., 2009; Hannah-Moffat, 2001; Kilty, 2012a; Pollack & Kendall, 2005; Rimke, 2018). Moreover, with respect to the cognitive behavioural nature of CSC programming, the underlying premise is that women prisoners’ faulty cognitions and reasoning is at the root of their “problematic behaviours” and “poor decisions,” which is precisely what CSC correctional programming aims to “fix” in order for women to achieve rehabilitation.

Finally, we see how power/knowledge functions in the sexuality module particularly as psy and gender discourses intersect to frame women’s sexuality as a risk to be managed, as blameworthy, and as a cause of their (individual) “problems.” This discursive framing of women as not just sexual beings, but rather as promiscuous is identified in the psy complex as a (particularly gendered) symptom of borderline personality disorder (Biskin & Paris, 2009). Indeed, some scholars report that sexual dysfunction (which includes sexual impulsivity and promiscuity) is commonly found in individuals with borderline personality symptomatology (Biskin & Paris, 2009). While an individual would not be diagnosed with borderline personality disorder because of their sexual history alone – it is one of many symptoms – the fact that women are disproportionately diagnosed with this disorder (American Psychiatric Association, 2013) highlights the gendered nature of how we think about sexual behaviour. It draws attention to the pathologization of behaviours that do not conform to normative standards of femininity (Ussher, 2011). This is one more example of how the psy complex regulates women who stray from “unfeminine” behaviour and gendered scripts. It is here that we see the way that power/knowledge operates to discursively frame a sexually promiscuous woman as problematic and in need of regulation.

## Women as Relational Beings

In the (A)WOCP Continuum and Circle of Care programming documents, women are also discursively constituted as relational beings who are motivated primarily by their relations to and with others; indeed, the programming documents indicate that women's identities are formed predominantly as a result of their relationships. This gendered discourse is evidenced clearly in the *Women Offender Moderate Intensity Program (WOMIP) Facilitator Guide*: "A woman's identity is based on her relationships with other people. When these relationships are lacking or unhealthy, women may engage in problematic behaviour as a way of coping (e.g., substance abuse) or to preserve the relationship (e.g., prostitution for a partner)." Each of the programs contains an entire session (Engagement Programs) or module with many sessions (Moderate or High Intensity Programs) devoted to relationships, the premise being that "women are primarily motivated in their lives by their connection with others" (*Women's Engagement Program Facilitator Guide*). Additionally, staff are trained to understand that women prisoners' "faulty" relationship patterns are one of the main reasons for their criminalization: "Situational pressures such as the loss of valued relationships play a greater role in female offending" (*Women-centred Training Program Facilitator Guide*). It is clearly suggested that this discourse is unique to women. Programs are also based on relational theory, which is a psychological theory that is "a fundamental thread running throughout women's programs and is particularly relevant to understanding relationships. Histories of abuse, trauma and severed relationships are all too common to women with problematic behaviours linked to crime" (*Women's Engagement Program Facilitator Guide*).

A critical lens allows us to consider this premise as a problematic gendered trope – the notion that women are "inherently relational beings" is a common gendered stereotype which

understands women as psycho-biologically motivated by their relationships to others, as though men are *not* influenced by their relationships in similar ways. This normative discourse is reproduced by various institutions of power, such as the psy-complex, the media, and political apparatuses (Bruckert & Law, 2018). Viewed through a critical feminist lens, we see that women are not distinctly and solely motivated by their relationships – this is, rather, a construct created by a society and culture that distinguishes women by their relational, nurturing, and caring abilities (Rimke, 2018). Emphasizing relationships as the *primary* motivating factor for women specifically suggests it is a gendered phenomenon and denies the myriad motivating factors that may lead women to come into conflict with the law.

Moreover, it is important to consider that both women and men are relational beings who are socially motivated by their relationships with others. Indeed, Psychological research does suggest that there are some measurable biological differences between men and women when it comes to relational behaviours such as empathy (Christov-Moore et al., 2014). This indicates that the way men and women connect with others is, perhaps, more complex than claiming women are or are not motivated by relationships. It is nevertheless problematic that CSC centres programming topics on women's relationships in such a simplistic manner, suggesting that women base their identity on relationships with other people and that their connection with others is what motivates them in their lives, as opposed to acknowledging that identities and motivations are more likely comprised of a multitude of complex factors. While of course women may be motivated by their relationships and place great value in their relationships to others, it is both far too simple and problematically gendered that CSC suggests women's entire identities are primarily based on their relationships. CSC also contradicts their own program material as women's supportive relationships and connections with each other while incarcerated

are highly controlled and surveilled by staff because these relationships are understood to threaten institutional authority or to reflect unhealthy associations because both parties are criminalized (Fayter, Mario, Chartrand, & Kilty, 2021).

CSC staff are trained on how to respond to the “unique needs of women offenders” and are taught that in order for women to create change for themselves, they must “develop relationships that are not reflective of previous loss or abuse” (*Women-centred Training Program Facilitator Guide*). The facilitator guide further states, “Women who have healthy and supportive relationships improve their chances of success in making changes [because] according to relational theory, the primary motivation in women’s lives is to connect with others.” We again see the contradictory nature of programming material, as women’s rehabilitation is seen as contingent upon seeking out “healthy” relationships, which implicitly means with non-criminalized people. There is an inherent stigma in this position that suggests that criminalization is an indicator of a risky person that can only ever be a threat to women’s successful rehabilitation and reintegration.

What remains unacknowledged is the true complexity of many women’s relationships, and the fact that disengaging with certain “associates” may not be a straightforward choice or as simple as these programming documents imply. While it is essential to recognize the various impacts of unhealthy relationships, it is nevertheless important to understand the context of women’s lives and that disassociating from family members, friends who are like family, or intimate partners may be a challenge (e.g., a woman may be reliant on her partner’s income, or have strong familial ties with friends with whom she has used drugs). For example, one participant recounted the moment she was going up for parole and was asked about cutting ties with her friends once released:

[The parole board] wanted me to, you know, ‘think about your associates’, your associates are why you’re here. I told them, I understand why you guys think that way and I can understand why there *is* a connection, and it is going to be very difficult because I have known these people for so many years and they mean a lot to me but I do acknowledge that I do need to make some changes with who I hang out with and I do need to cut off some loose ends. And they got mad at me! They wanted me to be like ‘nope, you’re right, fuck them, bye, out of here!!’ I’m not a robot – that’s not real life! I’m not just gonna be to someone who I care about who I’ve known for years be like ‘Byyyyyyye! Who are you I don’t know you!’ No. I’m not a robot. Those feelings, that care that I have for these people are not just going to go away overnight. And I was trying to be honest with them trying to be like it’s going to be hard, but I know I have to do it. But it wasn’t what they wanted to hear. (Alicia)

Ultimately, CSC’s narrative around healthy/unhealthy relationships is oversimplified. Stating that “most times, getting out or leaving [a relationship] is the only option,” (*WOMIP Facilitator Guide*) as opposed to staying and attempting to make a relationship healthier, “glosses over differences and negates resistance and agency, and at the same time individualizes the problem” (Bruckert & Law, 2018, p. 137). Indeed, leaving may not be an option for some women in violent relationships, for example, as it does not necessarily end the unhealthy aspects or violence (i.e., the abuse may not end if they leave). Women may also not be able to leave due to economic barriers, their immigration status or circumstances surrounding their children, among other structural barriers. Far more nuance is needed here regarding women’s relationships in order to accurately reflect their material realities.

### **The “mentally disordered” woman**

I have argued thus far that CSC programming mobilizes gendered discourses to constitute women in ways that conform with normative femininity and responsabilizes them to self-govern in order to fit within this framing and to avoid future criminalization. This section unpacks how mental distress is discursively represented in correctional programming for women. As I stated in chapter five, CSC makes a clear distinction between mental health programming or intervention and correctional programming; however, in this section, I explore the psy discourses upon which

the correctional programs for federally incarcerated women are based and argue that, while the programs are not *overtly* described as a form of mental health intervention, it is undeniable that mental distress is implicitly addressed in most modules in the (A)WOCPC Continuum and Circle of Care.

According to the Correctional Service of Canada, “mentally ill” women have impairments of “thought, mood, perception, orientation, or memory that impact their judgment, behaviour, and the capacity to recognize reality or the ability to meet the ordinary demands of life” (*Corrections and Conditional Release Act of 1992*, Sec. 85). What this narrow framing does not leave space for is women who battle other kinds of mental distress that may be considered less “severe” or “clinical,”<sup>35</sup> women who do not have a diagnosis, and women who may wish not to disclose or seek a diagnosis while incarcerated due to mistrust in psy-professionals in the carceral system. As one participant explained, “All the psychological services at GVI are untrustworthy. [...] Everyone has access to [your file]. Even when you’re with the psychiatrist... ‘This is all confidential’ they say but they put it on the computer and the guards can just look at it!” Ultimately, it is women who exist outside of this narrow framing that tend to fall through the intervention cracks.

For the women who will only participate in correctional programs (and not in DBT programming), they nevertheless learn about various psychological theories that inform and are relevant to the programs and about certain aspects of mental health, such as stress, trauma, substance use, emotional dysregulation, and coping strategies; yet, these are characterized as risks to be managed, rather than as real mental health challenges that need to be addressed and

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<sup>35</sup> Here, CSC would consider psychiatric labels such as borderline personality disorder, bipolar disorder, schizophrenia, antisocial personality disorder as requirements to receive mental health programming through DBT.

supported (Hannah-Moffat, 2005, 2015, 2018; Pollack & Kendall, 2005). For instance, the *Women's Engagement Program Facilitator Guide* acknowledges that stress can lead to psychological issues, but stress is not considered to be a mental health issue requiring intervention or even support. We see how this plays out in the following discussion of stress in one of the program facilitator guides:

- ⇒ A stressor is an event or situation that puts an excessive physical or psychological demand on a person.
- ⇒ Three general categories of stressors include: psychological, social and biological. Stressors are either normative (expected) or catastrophic.
- ⇒ Some stress is acute (lasts only a short period of time) and other stress is chronic (goes on for a long period of time).
- ⇒ Stress can lead to serious health problems.
- ⇒ Long-term stress - stress that goes on day after day or week after week - will undermine all aspects of your life.
- ⇒ Chronic stress can result in many psychological (mental) and physical health problems.
- ⇒ Individuals who experience a lot of stress tend to be angrier.
- ⇒ Identifying daily stressors makes them more manageable.
- ⇒ Self-care is an effective way to manage stress.
- ⇒ Tell the group that negative stress is called “distress”. This type of stress can impact your body, emotions, thoughts and relationships. When a person is in distress emotions are stimulated that overwhelm the ability to respond to the event. What results is not only the event itself but the inability to react to the event and perception of the event. (*Women's Engagement Program Facilitator Guide*)

While these points are important, and while programs include DBT-specific strategies to teach women how to manage stress (i.e., coping skills, mindfulness, self-care), the stressors and their root causes are not addressed in any way. It is also harmful to consider “stress” and “distress” as on the periphery of or absent altogether from discussions about mental health more generally. We also see neoliberal responsabilization as the thread that runs through this section – women are demonized for the emotions that result from amplified situational stressors (e.g., “individuals who experience a lot of stress tend to be angrier”) and are taught that the only way to manage stress is by engaging in self-care. What is missing here is an acknowledgement that women may

also engage in collective care as a way of coping, including peer support and mutual aid, as opposed to relying solely on individual solutions and strategies such as self-care (Pollack, 2008; Davis & Fayter, 2020)

Further absent from these discussions of managing stress is a broader recognition of the structural factors at play that lead to physical, social, and biological stress, and how these may be connected to experiences of either acute mental distress and/or mental health challenges more broadly (Kilty, 2012a; Pollack & Kendall, 2005). While the programs do seem to acknowledge that women often come from “marginalized backgrounds which include poverty, chemical dependence, past experiences of early and/or continued sexual, physical and psychological abuse” (*Women-centred Training Program Facilitator Guide*), these are also risk factors for which women are required to be accountable as they participate in programming (Hannah-Moffat, 2010); this is evidenced in programming with regard to the concept of neutralization.

Perhaps ironically, given the long history of criminological investigation into the techniques of neutralization that are commonly mobilized by criminalized people to justify their criminal actions (Christensen, 2010; Presser, 2003; Sykes & Matza, 1957; Ugelvik, 2012), neutralizations are one way that CSC programming teaches women prisoners to manage their mental distress. The premise is that when women are unable to self-govern, they are more inclined to engage in “problematic behaviours that lead to crime” (*Women Offender Correctional Program [WOCP] – Key Points Checklist*). According to one of the guides provided to program facilitators, the *Women Offender Correctional Program – Key Points Checklist*:

Neutralizations are a type of self-talk . . . [that] allow an individual to justify their behaviour or actions, both before and after, to distance themselves from feeling any unpleasant emotions (shame or guilt) associated with their behaviour and to excuse themselves for past mistakes. Neutralizations are harmful self-talk that excuse the behaviour of someone who has victimized others or has victimized themselves.

Prisoners are taught that “shifting blame” or claiming they had “no choice” are two (of the twelve) neutralizations<sup>36</sup> deployed to “justify their problematic behaviours linked to crime”

(*WOCP – Key Points Checklist*). Programs are, accordingly:

[D]esigned to gently create discrepancy and not to reinforce core beliefs that may need to be changed or modified. [...] Thoughts and beliefs that support the use of problematic behaviour are important factors that can increase the risk of using problematic behaviour to meet needs. Program content is designed to help participants explore how their behaviour may be in conflict or not consistent with their values. (*WOCP – Key Points Checklist*)

Requiring women to be accountable in this way, to be responsible for their own marginalization and criminalization, negates CSC’s acknowledgement that women prisoners often come to programming with lived experiences of both structural and interpersonal violence, poverty, and other forms of marginality, stigma, and oppression, as per the gender responsive model.

Neutralizations are a further example of how psy-intervention is deeply embedded in correctional programming, as they involve a complete re-structuring and re-framing of thoughts and thought patterns, a strategy consistent with cognitive behavioural and dialectical behaviour therapies (Beck & Beck, 2011; Berzins & Trestman, 2004; Carlen & Worrall, 2004; Rector, 2010).

In some of the interviews I conducted with formerly incarcerated women, it was clear that participants took issue with the premise of neutralizations and the responsabilization strategies they were required to engage during the programs. As one participant recounted:

I would argue with the program facilitators because like there was one [neutralization] that made me the most angry that they called ‘Blame the System’ – cause I would give all kinds of scenarios...CSC would say there is never, ever an excuse to break the law. So, I would start giving scenarios... What if I’m walking somewhere down a dark alley and someone’s trying to rape me or kill me and I fight back, and I end up killing them. They say no that’s not ok, you should just scream and call for help or whatever, you can’t have an assault. What if a mother steals to feed her children? No, you should go to the food bank or welfare. Well welfare and the food bank doesn’t have enough money. Now

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<sup>36</sup> Participants only review six of the twelve neutralizations. They consist of: (1) Cover-up, (2) Devaluing the victim, (3) Minimizing the impact of harm or injury, (4) No choice, (5) Shifting the blame, and (6) Denial of harm.

you're just system bashing and you're blaming the system and you're not taking responsibility for your actions. (Dana)

Alicia also highlighted the emphasis on individualizing responsibility and the need for prisoners to tell their stories in the way that the program facilitator wants to hear:

And if you don't tell them what they want to hear about why you're there, then you're not participating or you're not owning up to your crime. That's something I heard a lot from a lot of the other inmates. [CSC staff] kept telling me that I'm not participating and I'm not taking responsibility for what I'm doing but it's like what they want me to say isn't what is going on. A lot of inmates actually said this, they don't want to hear your truth, *they want to hear their truth*. They don't care why you actually did it. They just want to hear what they want to hear. *They want to hear their version of it*. (Alicia; emphasis added)

Both quotes reflect how participants felt that they were being blamed for conditions outside their control and that they are expected to be explicitly accountable for their actions and narrate their accountability in particularly structured ways. While taking accountability for one's actions is not an inherently problematic expectation, the issue is the manner with which CSC requires women to be accountable for their actions. If one's criminalization is linked to constrained life choices and opportunities (as Dana suggested, what about a mother who steals to feed her children?), or due to heightened mental distress, criminalized women are likely to experience the failure to acknowledge these influences as a kind of victim-blaming (Hannah-Moffat, 2010; Pollack, 2009; Rose, 2000; Schlosser, 2015).

This finding is consistent with Schlosser's (2015) findings, which detail how her participants discussed being controlled by the threat of punishment unless they "adequately self-governed;" while I did not find evidence in women's programming documents or in interviews with women of the use of an overt punishment (such as verbal reprimands, reprisals, institutional charges or segregation) for a woman who fails to adopt the CSC narrative of accountability, participants did express that when they did not "fully engage" in the programs they would not

receive a passing grade and would have to re-take the program. Further, if their parole hearing was contingent upon the successful completion of a program, it would also mean pushing back their parole hearing and their potential to be released – a perhaps subtle punishment but a very real one no less (Moore & Hannah-Moffat, 2005).

Additionally, I examined one of the facilitator guides designed for staff who work directly with women in CSC institutions. The guide serves as the foundation for the Women-centred Training Program, where staff are trained on and learn about “gender responsive correctional practices” and the importance of being “women-centred.” It highlights “the need to provide gender specific health services that recognize and address the unique needs of mentally ill women offenders” (*Women-centred Training Program Facilitator Guide*).<sup>37</sup> One module of this training program is dedicated solely to mental health and is predicated on the concept of “gender responsiveness.” As a reminder, gender responsiveness for women in prison is one of the outcomes of *Creating Choices* and was CSC’s way of acknowledging that there are differences between men and women prisoners and that women required different health services, interventions, and programming than men; however, CSC’s conceptualization of gender, gender responsiveness, and gender differences is based on normative assumptions about gender (see chapter two for a more in-depth critique of gender responsiveness).

By analyzing the mental health module in the *Women-centred Training Program Facilitator Guide* through a critical feminist lens, we can see how the discursive ways in which gender and gender differences are constituted pivot on myths and tropes about women. For

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<sup>37</sup> While it is stated that all information in the manual is based on current empirical literature (as of 2010 when the WOCP continuum was implemented for the first time), it is based on a very narrow selection of psy literature that fails to examine the structural factors that may be at the root of women’s mental health concerns (and criminalization) and instead focuses entirely on the individual.

example, the guide states: “Above all it is important to realize that mental illness disproportionately affects women offenders compared to men and women in the general community.” While it is true that statistics show that a higher proportion of women are diagnosed with psychiatric disorders (CSC, 2018; Public Health Agency of Canada, 2020), this does not confirm that mental illness is based on biological gender differences. Rather, it is the relationship between power and knowledge that allows this gendered trope to persist. Indeed, the claim that mental distress disproportionately affects women is arguably due to the historical and ongoing pathologization of women’s distress and the fact that women are more likely to seek the help of doctors when they experience distress than are men (Rimke, 2018; Ussher, 2011). This discursive representation is further characterized in the following passage from the *Women-centred Training Program Facilitator Guide*:

- ⇒ Men and women experience mental (and physical) health and illness in very different ways.
- ⇒ They experience different types and incidents of mental health problems.
- ⇒ Some mental health problems experienced by women in general and women offenders specifically can be linked to traumatic and/or marginalization experiences in their past or current situations.
- ⇒ For example, many women offenders are from marginalized backgrounds which include poverty, chemical dependence, past experiences of early and/or continued sexual, physical and psychological abuse.

Here, women’s mental health is characterized as different than men’s;<sup>38</sup> however, I would argue that the reason these differences are presented as unquestioned “Truths” is because of pervasive normative gendered myths, stereotypes, and tropes that dictate how women and men are perceived, which are then validated through power relations – in this case, via the psy-complex, which defines and constructs “Truths” of mental distress in society (Rimke, 2016a; 2018;

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<sup>38</sup> While there is psychological data to suggest that there are gender differences in experiences of mental distress, it is beyond the scope of this thesis to engage in the “biological vs. cultural” debate. What is clear, however, is that the ways in which these gender differences are presented often emphasize gendered stereotypes (that characterize women as more caring, for example).

Ussher, 2011). Such myths are also premised on the idea that the same statements are not also true for criminalized men. There are, of course, men in prison who come from marginalized backgrounds and whose mental distress, chemical dependence, and experiences of sexual, physical, and psychological abuse may be linked to their criminalization (Zinger, 2017).

Notably, we also see contradictory discourses in this programming text. While women are told that they must not engage in neutralizations and “make excuses” for their “problematic behaviour that led to crime,” the programs, in some ways, acknowledge some of the hurdles that women are taught to neutralize, or at the very least to take accountability for (e.g., drug use and marginalization). At the same time that CSC acknowledges women’s experiences of mental health challenges and marginality, these experiences are also considered risk factors and targets of cognitive restructuring. Indeed, as in Bonnycastle’s (2012) research on CSC sex offender programming for men, women are required to rewrite their life stories in particular ways due to the fact that “CSC’s core assumption is that crime is caused by people who think incorrectly and surround themselves with irrational beliefs and distorted perceptions that they then use to justify antisocial behaviour” (Bonnycastle, 2012, p. 62). Prisoners must reframe their experiences to identify their “core irrational beliefs that sustain their antisocial attitudes and destructive emotions” (Bonnycastle, 2012, p. 62). Prisoners who attempt to link their criminalization to a history of victimization, mental health problems, or other forms of marginalization are subsequently accused of not taking responsibility – or of neutralizing their behaviour. As one participant told me, they learn in programming that “there is never an excuse to break the law” (Dana). It is only through cognitive behavioural therapy that women learn to manage their mental distress by approaching it in “CSC appropriate” ways. While this issue appears in both men’s and women’s programming, gendered tropes undergird interpretations of men’s and

women's emotionality and its relation to individual thinking and decision-making. Next, I turn to the regulation and management of women's emotions in prison programming.

### **Emotion Regulation in Programming for Women**

In this section, I turn to the most pervasive gendered discourse underpinning women's correctional programming – emotion management and the gendered regulation of women's emotions. Gendered stereotypes and tropes about women suggest that women are inherently emotional, irrational, and hysterical, while men are considered capable of better managing their emotions (Ussher, 2011). Generally, women are seen as more emotional overall, where normative femininity “permits” them to experience a range of emotions, while anger tends to be the primary emotion that men are “allowed” to experience according to normative masculinity. Research by Barrett and Bliss-Morneau (2009) suggests a clear gender difference in the pathologization of emotions, particularly when it comes to anger. The researchers found that men's anger was perceived as related to situational factors (e.g., having a bad day), while women were judged simply as emotional by nature.<sup>39</sup> Programming materials demonstrate that imprisoned women are required to manage their emotions by turning inward, relying on self-discipline and self-monitoring strategies to “reduce their risk” and thus “achieve” rehabilitation. Neoliberal discourses of individualism, responsabilization, and self-governance are deeply embedded in these “solutions” for women whose emotions are considered to be out of control. I begin the section by conceptualizing emotions according to programming documents and discussing how emotions are explicitly and implicitly linked to mental health. I then go on to describe what emotion management is, what it looks like, and the ways in which it must be engaged to be accepted by correctional authorities. Finally, I deploy an intersectional lens to

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<sup>39</sup> See Barrett and Bliss Morneau's (2009) study for further evidence on the differences in how people perceive and explain women's and men's emotions differently based on their gender.

discuss how Indigenous women's emotions are characterized differently in the Aboriginal Women Offenders Correctional Programs (AWOCP) and demonstrate the (colonial) strategies that Indigenous women are taught to manage their emotions.

### **Conceptualizing Emotions**

According to programming material, an emotion is “a mental state that arises spontaneously rather than through conscious effort and is often accompanied by physiological (physical) changes;” a problematic emotion is “any emotion that leads an individual to engage in violence and/or any other problematic behaviour” (*Women's Engagement Program Facilitator Guide*). Prisoners are taught that they must manage their “problematic emotions” for long-term benefits (in other words, to reduce their risk of “re-offence”), as opposed to reacting quickly in an “intense emotional state.” Further, they learn that they are to blame for the outcome of expressing emotions: “Remind the group that all emotions need to be experienced and expressed in ways that are healthy and not harmful to self or others. Indeed, it is not our emotions that create problems, but how we react and express those emotions” (*WOMIP Facilitator Guide*). At the core of these teachings is the premise that prisoners are expected to become self-governing individuals who make rational choices regarding how to express themselves to enhance their wellbeing (Rose, 1996). Evident in this discourse, is a sense of neoliberal responsabilization, where women must manage their risks and be held to account when they are unable to do so. Of course, what these discourses fail to recognize, and accordingly what CSC disregards, is the context in which women may experience intense emotions and whether the emotions they are experiencing are also an indication of general mental distress (Rimke, 2018).

While CSC does not identify correctional programming as directly addressing mental health in specific ways, nor does it serve as a recognized mental health intervention, the

emotions module and sessions in the (A)WOCP Continuum and Circle of Care provide salient examples to the contrary. Programs are grounded in psychological theory (see below) and provide psychological explanations for different emotions and states of being (e.g., the physiological processes that occur as we feel emotions). For example:

An integrated theory of emotions takes into account both existential and cognitive theories of emotion. According to existential theory, emotions have the potential to act as sources of information we can use to understand ourselves: our values, likes, dislikes, etc. Although emotions are not dangerous in themselves, nor are they inherently good or bad, they can feel very painful. Our learned ways of viewing, understanding and acting on emotions can determine whether they lead to constructive or destructive outcomes.

Cognitive theory of emotions suggests that problems accepting and managing emotions (e.g., denying, avoiding or being swept away by them) can contribute to mental health problems like depression and anxiety. One major strategy people use to overcome anxiety, depression and substance use problems involves becoming aware of how our self-talk affects our emotions and behaviour. (*Aboriginal Women's Engagement Program Facilitator Guide*)

It is here that we see an evidentiary link between emotions and mental health in correctional programming for women prisoners. Indeed, psy discourses are fundamental to prison programming and are underpinned by gender and neoliberal responsabilization discourses (Pollack & Kendall, 2005). It is these discourses and the subsequent practices that render power relations visible (Pollack & Kendall, 2005).

### **Emotion Management**

Women are discursively constituted as overly emotional, irrational, and hysterical – a social construct and gendered stereotype that persists due to normative discourses about women. This is particularly relevant when it comes to women prisoners and the programming in which they must participate, as each program module in both the Circle of Care and Continuum of Care discusses emotions and is rooted in the concept of emotion management (e.g., in (A)WEP it is one session, while in the moderate and high intensity programs there is an Emotions Module that

contains upwards of 10 sessions). Accordingly, if a participant is mandated to participate in more than one program, she must then learn this information several times. Moreover, staff are trained on women's "unique needs" (*Women-centred Training Program Facilitator Guide*) and taught that emotion management is paramount when working with women prisoners. For example, in the Women-centred Training Program for staff, it is stated:

Women in general are close to their emotions. In women offenders, emotions can trigger reactions that can lead to security incidents or self-injurious behaviour. Whether a woman's emotional state is diffused or exacerbated hinges on staff's interventions with her. That's why it is so important that staff understand the issues women offenders deal with, and can recognize the signs or triggers before an incident happens. This is what we seek to teach in women-centred training. (*Women-centred Training Program Facilitator Guide*)

Women being close to and motivated primarily by their emotions is often considered a gendered trait that is "inherently biological" for all women. A critical analysis of this trope, however, suggests otherwise. Indeed, framing women as irrational and emotional is neither a biological predisposition nor a scientific fact, but is a product of power relations, one that has over time been constructed and shaped by the society and culture within which we live (Pollack & Kendall, 2005; Rimke, 2018).

It is implied that, unlike women, men are not close to their emotions and are assumed to be more capable of managing their emotions.<sup>40</sup> Indeed, it is men who are the "measuring stick" of emotional rationality, their behaviour the norm against which women are compared (Bruckert & Law, 2018). This framing does not consider men's material experiences either – that their emotions can be triggering, or that they may also have histories of trauma and victimization.

Indeed, dominant configurations of masculinity or femininity do not allow us to see the

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<sup>40</sup> The link between emotion and reason is indeed complex – being more emotional does not mean one is irrational and being unemotional does not indicate that one is rational. What is significant in this context is how women are *perceived* differently than men based on common gender stereotypes that are prescribed according to idealized masculinity and femininity.

“alternative patterns” (traits outside of gendered tropes and norms) that exist (Connell, 2008, p. 133). Ultimately, such patriarchal standards presented in prison programming are harmful for all.

In programming sessions, prisoners learn about their emotions and how to regulate them at great length. They are provided information on what “healthy” and “unhealthy” emotions look like, and what it means to “effectively” manage them. For example, the *WOMIP Facilitator Guide* states:

For women offenders, emotions are often directly or indirectly linked to crime. If an individual does not see the relevance of working toward authentic emotional rewards, they are more likely to rely on the award provided by an addiction: artificial instant gratification. If an individual has been addicted for a long period of time, they may have never learned skills to effectively manage emotions or possibly forgotten the skills that they did have. It is important to acknowledge and validate that addictions are used as a coping strategy; although not an effective coping strategy.

In this passage, the gendered nature of emotion management for women prisoners is clearly evidenced. It is claimed that for women specifically, emotions are connected to or function as the cause of their “problematic and criminal” behaviours and again, it is implied that men’s behaviour is, perhaps, not linked to their emotions.<sup>41</sup> It is important to recognize, however, that “problematic” or intense emotions, and indeed mental distress, may be exhibited by women as a self-protective measure in response to traumatic events which may arise in the prison context (Kilty, 2014a; Pollack & Kendall, 2005). Moreover, women’s emotions and their (apparent) inability to manage them effectively are situated as risk factors for recriminalization and as threats to their rehabilitation potential (Kilty, 2012a; Pollack & Kendall, 2005). The “cure,” according to CSC, is for women to learn how to regulate themselves by re-wiring “faulty” thinking patterns through self-monitoring, self-awareness, and self-discipline.

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<sup>41</sup> Notably, men’s programming does not entirely neglect emotions – indeed, programs have long addressed anger (and the failed management of it) as one of the roots of men’s criminalization. It is interesting that gendered stereotypes and expectations seem to centre around normative standards of both masculinity and femininity.

As I discussed in chapter two, restructuring prisoners' thinking patterns is part-and-parcel of a cognitive behavioural approach, which serves as the basis upon which all CSC correctional programming is designed. The *Women's Engagement Program Facilitator Guide*, states that "the expected conclusion [of emotion management] is that as a result of changing their thinking, the intensity of their emotions will lessen, or their emotions may even change completely. In addition, [prisoners] will likely behave differently and thus outcomes will change." The underlying assumption is that prisoners do not have adequate cognitive skills to engage in the reasoned decision-making needed to avoid criminalization (Lipton et al., 2002; Schlosser, 2015).

For women prisoners specifically, dialectical behaviour therapy is a component of the (A)WOCP Circle and Continuum of Care, which is where psy and gender discourses ultimately overlap. As discussed in chapter two, DBT is a gendered therapeutic intervention that is intended to alter thoughts, feelings, and behaviours by teaching strategies of emotional, cognitive, and relational regulation (Blanchette et al., 2011). While intensive DBT programming is distinct from correctional programming, its core values nevertheless permeate correctional programming. Participants are taught the DBT theory of emotions, and staff are trained on the concept of DBT as well. Prisoners and staff learn information such as:

Linehan's model suggests that emotional responses are prompted by events including external events, thoughts, memories or even other emotions, which are interpreted by the individual. It is the interpretation of the event that determines the emotion experienced (e.g. thoughts precede emotion). The interpretation in turn, sets off a response by the body, including changes in both facial expression and body language. [...] [Linehan also] highlights the importance of the early environment in influencing how an individual expresses and experiences emotional responses. (*Women's Engagement Program; Women-centred Training Program Facilitator Guide*)

That DBT ideas and practices saturate women's programming and how staff are trained to work with women prisoners is further evidence of overlapping gender and psy discourses. Indeed, dominant ways of knowing or "Truths" about women (that they are emotional, irrational,

hysterical and their emotions are at the root of their “criminal behaviour”) are rendered visible because of the role that psy knowledges play in the carceral context. As Rimke (2018) asserts, we must question the way that society pathologizes women and “then ultimately blames them for experiencing distress” (p. 16). While women are not blamed explicitly for their behaviours, thoughts or feelings, which would imply fault, they are nevertheless required to take responsibility for them, regardless of the root of these behaviours, thoughts or feelings. It is here that we also see neoliberal discourses of individualism and responsabilization. Structural factors and the resulting marginalization that flows from them is negated, implicating the individual to take responsibility for actions; when she is unable to do so, the result becomes both explicit and implicit blame (Bruckert & Law, 2018)

It is worth noting here that while we know that different “kinds” of women (i.e., women with varying identity factors such as race, class, ethnicity, sexual orientation, etc.) are regulated and controlled in different ways (Bruckert & Law, 2018), any mention of an identity factor other than Indigeneity is entirely absent from the correctional programming material and the staff training documents I acquired. While I coded for intersecting identities represented in programming material, I did not find evidence that any of the programs centre discussions around issues faced by LGBTQ2S+ women or disabled women. Moreover, while poverty was acknowledged as a common contributing factor to women’s criminalization, there was no substantive understanding of how structural disadvantage shapes criminalization or how women can overcome such disadvantage. One reference was made to gay women in a program session that explores sexuality, and the only time the word “poor” was used was in reference to women’s decision making, problem solving, and emotion management skills. While this is perhaps unsurprising given CSC’s problematic implementation of gender responsivity (Hannah-Moffat,

2010), it also illuminates the contradictory nature of CSC’s claims that their “interventions must take into account the social, political and cultural context unique to women in society” (*Women-centred Training Program Facilitator Guide*). This gap between policy and practice only serves to harm women as it is at the intersections of race, class, sexual orientation, ethnicity, *and* gender (and not gender alone) that women’s unique needs, including with respect to their relationships, children, past victimization, mental health, self-injury and self-esteem must be addressed; otherwise women’s needs are considered risks to be managed “in the pursuit of normative femininity and gender conformity” (Hannah-Moffat, 2010, p. 201).

The essentialist framing of women in prison programming documents, particularly in terms of programming efforts to target emotions and mental distress more broadly, does not go unnoticed by prisoners. Alicia, said, for example, “Nobody’s situation is the same, nobody’s circumstances are the same.” Additionally, when asked about what the programs should be more aware of or include, Kerri exclaimed:

They should include that we are all different and some of us do have some severe mental health issues and they need help, they need counselling, and maybe some one-on-one work would be great. There’re people that can’t read and can’t write – [program facilitators] are like here’s your homework, read page X... And there’s girls in there that don’t know how to read! What do you mean READ X! How are they going to read it!?

It is clear that a “one-size-fits-all” approach to programming and mental health is harmful and will not rehabilitate women or address their intersectional needs.

### **Indigenous prisoners’ emotions: Shame and anger**

Indigenous women prisoners are commonly misunderstood and pathologized as angry, unstable, and inherently violent (McGuire & Murdoch, 2021). They also have different needs<sup>42</sup>

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<sup>42</sup> The term need here is used in its truest sense – circumstances in which something is necessary, or that require some course of action – as opposed to CSC’s framing of a need which is then reconfigured as a risk to be managed (Hannah-Moffat, 2005, 2010, 2015).

than non-Indigenous prisons that stem from the ongoing impacts of colonization, including systemic racism, discrimination, dehumanization, and sexualization, and the resulting experiences that flow from state-sanctioned violence such as a loss of identity, having children apprehended, being subject to medical testing, forced sterilization, and emotional, physical, and sexual abuse (Palmater, 2018; TRC, 2015a; Wesley, 2012). Accordingly, CSC has attempted to Indigenize the programming space such that it is “culturally grounded” and “culturally relevant” (Kelly, 2017, n.p.) and offers “healing through cultural identity” (CSC, 2018, p. 14). This has been (uncritically) perceived as a benevolent and progressive intention of the Correctional Service of Canada, a way of incorporating Indigenous-specific teachings into the programs and an important way of recognizing cultural differences. However, as Montford and Moore (2018) argue, such a “culturally sensitive” approach does not, in fact, signal progressive penal policy, but rather a political decision that goes hand-in-hand with broader state goals that subsequently reflect reconfigurations of colonial power. When looking more critically at programming for Indigenous women, we see that CSC, as an arm of the federal government, defines Indigeneity in colonial terms, such that Indigenous culture is operationalized as a homogenous and uniform set of habits, values, customs, and beliefs, which subsequently fails to acknowledge Indigenous diversity (Martel & Brassard, 2008; Martel et al., 2011; McGuire & Murdoch, 2021).

Upon analyzing the *Aboriginal Women Offender Correctional Program Facilitator Guides* and other Indigenous specific documents, it became evident that there are aspects of the Circle of Care (the Indigenous program stream) that are questionable and indeed problematic, particularly as it relates to emotions and emotion management. Not only is this material rooted in an oversimplified, homogenous, pan-Indigenous approach rather than recognizing that cultural differences abound between and among First Nations, Métis, and Inuit groups, but it also

responsibilizes Indigenous prisoners for the emotions they may experience *as a result of* colonization and ongoing settler colonialism. For example, programming material illustrates a connection between colonialism, assimilation, and racism to particular emotions, such as anger and shame – notably, two emotions that are not covered in the Continuum of Care program in which non-Indigenous women participate. Quite tellingly, these emotions appear to be reserved specifically for Indigenous women’s programming.

Program participants are taught that the history<sup>43</sup> of colonization has caused Indigenous peoples to live their lives “in response to feelings of shame” and that they should not feel alone because “shame is felt by many Aboriginal peoples” (*Aboriginal Women Offender Moderate Intensity Program [AWOMIP] Facilitator Guide*). Shame is defined as “a feeling deep within our being that makes us want to hide a part of or all of ourselves from the judgement of others. It is the feeling of being unworthy, unlovable and unwanted” (*AWOMIP Facilitator Guide*). In this session, participants are instructed to acknowledge and take accountability for the shame they feel as a result of their past experiences. The following quote is from the Aboriginal Women Offender Moderate Intensity Program:

In this world, we determine who we are, how life works and, most importantly, how to protect ourselves based on the messages we received as a child. Adults who experienced shame as children may have been witness to or a victim of a number of behaviours or abuse that create feelings of shame.

Tell the group that understanding shame and shame-based experiences in your life is an important step in making positive changes in your life. Understanding the connection between shaming experiences, unresolved emotions and negative life choices provides not only awareness but also strength. (*AWOMIP Facilitator Guide*).

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<sup>43</sup> While CSC refers to colonization as a part of history, it is important to recognize settler colonialism is an ongoing process that plays a role in the continued erasure of Indigenous culture and lives, as well as the perpetuation of systemic racism and genocidal actions on behalf of the Canadian government (e.g., the *Indian Act*, the federal legislation that [still] exerts control over Indigenous peoples, is but one example of the ongoing colonization of Indigenous peoples).

Here, neoliberal discourses of individual choice and responsabilization are evident themes, where participants are taught that “*they* determine how life works” and “*they* can protect themselves.” We see that technologies of government are intended to work through individuals such that the individual neoliberal citizen must take responsibility to self-govern to become better, improved versions of themselves, versions who understand their own shame and overcome it (Rimke, 2018; Rose, 1999). The facilitator guide goes on to state:

Shame has had a very damaging role for many Aboriginal people, undermining their development of a positive self-image. Understanding the origin of shame and how to challenge it can help to restore and honour Aboriginal identity. For many Aboriginal peoples, shame is something they experience every day of their lives, though many do not even recognize the symptoms. Aboriginal peoples have suffered from the effects of colonization, disease, war and dispossession resulting in the devastation of Aboriginal identity, culture and cultural practices. (*AWOMIP Facilitator Guide*)

This passage shows how Indigenous culture is used as the “catalyst” for change – it is through cultural teachings and practices and Indigenous identity that prisoners may achieve rehabilitation for the shame they may feel from their past (Martel & Brassard, 2008; Martel et al., 2011; Montford & Moore, 2018). Again, it also shows that Indigenous prisoners are responsabilized for emotions they may experience *as a result of* coloniality, not to mention that they are made to relive past trauma in the interest of their own rehabilitation. At no point does the programming material review the lived realities of systemic racism, devastating poverty on reserve land (and off), profound experiences of stigma, criminalization, or the trauma of cultural genocide, in part because CSC staff have not been adequately trained to truly understand the impacts of trauma on Indigenous women’s lives (McGuire & Murdoch, 2021). It is also due to the fact that these programs are delivered under the guise of cultural accommodation, while colonial power remains at the core of state governance (Coulthard, 2014). Such a superficial acknowledgement of the impacts of colonization is a discursive strategy deployed “in an attempt to right more state

wrongs” (Montford & Moore, 2018). In other words, the references made to racism, colonization, and assimilation of Indigenous peoples pass through a colonial state filter and do not accurately reflect the lived realities of First Nations, Métis, and Inuit peoples.

Anger is another emotion that is examined in the Emotions Module of programming for Indigenous women. It is defined in program material as “an emotion ... that can be a response to frustration, threat, violation or loss, which are either real or perceived to be real by a person. It becomes the primary emotion when a person makes a conscious choice to take action to immediately stop the threatening behaviour of another outside force” (*AWOMIP Facilitator Guide*). Notably, Indigenous women prisoners are characterized by their anger in similar ways to Black women. Indeed, Black women are commonly stereotyped as angry, disagreeable, aggressive, physically threatening, and loud, something Rosenthal and Lobel (2016) describe as characteristics of the “sapphire” trope. This is similar to the ways in which Indigenous women are constituted as angry, unstable, and violent. For Black and Indigenous women, these stereotypes pivot on both their race and gender and are considered antithetical to normative femininity (Rosenthal & Lobel, 2016).

An overt emphasis on anger for Indigenous prisoners specifically is, perhaps, unsurprising given CSC’s history of pathologizing Indigenous women and viewing them as inherently aggressive (McGuire & Murdoch, 2021). We see this discursive representation in policies such as the (now abandoned) “Management Protocol” for women prisoners, the legacy of which continues to exist in CSC programming. The Management Protocol was ultimately a euphemism for prolonged and indefinite segregation, permitted because it was not considered a “disciplinary” strategy but an “administrative” one (Prevost & Kilty, 2020; *Worm v. Canada*, 2011). The result of the protocol was that “troublesome female prisoners” were segregated

indefinitely (Bingham & Sutton, 2012), prisoners like Bobbylee Worm, an Indigenous woman who was segregated due to the protocol for almost four years (Prevost & Kilty, 2020; *Worm v. Canada*, 2011). In fact, the majority of women who were subject to the protocol during its implementation were Indigenous (Prevost & Kilty, 2020; British Columbia Civil Liberties Association, 2014). Women on the protocol received next to no support (e.g., programming, mental health counselling, etc.), were isolated from all social interaction, and were subject to zero tolerance rules when it came to behaviours that were considered emotional or aggressive. (e.g., they were not permitted to use profanity) (Prevost & Kilty, 2020; *Worm v. Canada*, 2011).

Moreover, reviewing program material through a critical, intersectional lens illuminates recurrent themes of neoliberal responsabilization, the imperative of self-governance and individual accountability, and colonial rationalizations disguised as culturally informed teachings. The following passage from the *AWOMIP Facilitator Guide* discusses background information on how anger as an emotion, and particularly “anger theory,” is linked to colonialism:

Aboriginal peoples have had to endure colonialism which included assimilation and racism. Assimilation has created difficulties in the emotional health of Aboriginal peoples by causing and triggering intense emotions. The impact of these for many Aboriginal people has resulted in feelings of anger, sadness, shame and insecurity. Residential School caused further problems, as the atmosphere was one of strict regime where children were kept to task and there was no time to deal with emotions.

Anger or any other strong emotional response can only be ignored or hidden for so long. Although emotions can be repressed, they can also be triggered. Anger can be used in many harmful ways including getting out of an uncomfortable situation, as a control tactic, solving all problems and being seen as a normal emotion to be used on everyone.

When anger surfaces, the application of teachings and basic skills can help in managing the emotion and thus reduce the risk of engaging in problematic behaviour. The Seven Sacred Teachings can help in understanding and addressing problems associated with anger. Our attitude towards life and our daily issues determines which path we are likely to follow in life. So, if our thoughts are focused on anger, we will act with anger. Point out to the group that anger is expressed in many unhealthy ways for a person who

struggles with managing this emotion. Not managing anger effectively may lead to problematic behaviour linked to crime. (*AWOMIP Facilitator Guide*)

While CSC acknowledges that expressing anger may be a response to the impacts of colonization, they also maintain that the behaviours that are associated with it position anger as an inappropriate or unhelpful emotion. This view fails to recognize that anger can be a legitimate emotion (Gould, 2009) and instead situates it as strictly a risk factor to be managed and a harm to a prisoner's rehabilitation potential. The notion of colonial affect is a conceptual tool that allows us to understand how both affect<sup>44</sup> and coloniality work in conjunction to subjugate racialized others (Blickstein, 2019). In this context, Indigenous women's anger is subjugated through colonial understandings of emotions and their root causes – while correctional programs recognize various impacts of colonization, implicit in their framing is the idea that women must simply move past these impacts and to let go of the anger they feel. We see the roots of colonial affect in risk discourses when women are told to “get over” their anger at colonization to prevent problematic behaviour linked to crime.

Additionally, we not only see how Indigenous women's anger is conceptualized as originating from colonization, but also the troubling ways that CSC effectively glosses over the experiences and impacts of residential schools – the violent removal of children from their homes, the many forms of abuse experienced in these institutions, and how, often, the culmination of these actions was death. Further, the third paragraph in this excerpt suggests that in order to reduce feelings of anger a prisoner must engage in cultural teachings, and in so doing

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<sup>44</sup> I recognize that affect scholarship is a large body of literature, yet exploring and theorizing affect is beyond the scope of this project as I am primarily viewing emotions through a psychological and sociological lens. It is useful in this analysis, however, to mobilize Blickstein's (2012) term of “colonial affect” because it so precisely allows us to understand how emotions and coloniality work together to subjugate Indigenous women prisoners.

she will be less likely to engage in crime due to problematic behaviours that stem from dysregulated emotions.

There is a sizeable leap of logic made in this program module by connecting “past” colonial practices with current emotions and current criminalization experiences. It is in this gap that CSC fails to acknowledge two very important contexts. First, that an individual’s anger or intense emotions will never be treated or rehabilitated simply by acknowledging that one experiences the effects of colonization, particularly when doing so within the confines of a colonial, penal institution. Second, that such trauma can be overcome through settler mediated Indigenous programming regulated by the colonial state and which claims to “treat” anger problems by connecting a prisoner to a culture that has been historically and continually subverted, oppressed, stigmatized, marginalized, and criminalized (Montford & Moore, 2018; Truth and Reconciliation Commission, 2015b).

Yet, prisoners are taught that to manage anger “properly” means behaving according to cultural teachings: “You are likely managing anger in a good way if you are honouring the Seven Sacred Teachings” (*AWOMIP Facilitator Guide*). In other words, if a prisoner is a “good” Indigenous person who is in touch with her culture – despite the ongoing colonial project and the fact that not all First Nations, Métis, and Inuit communities recognize the Seven Sacred Teachings – she can better regulate her emotions tied to (or directed at) settler colonialism so as to achieve a path toward rehabilitation and a “crime-free lifestyle.” As McGuire and Murdoch (2021) point out, “No amount of appropriated items and practices – eagle feathers, circles, or red roads – embedded in pan-Indigenized correctional programming will do anything to heal Indigenous women” (p. 11-12), particularly if such practices are deployed in a colonial institution that continues to criminalize and marginalize Indigenous women. Montford and

Moore (2018) similarly argue, “The availability of cultural (re)connection via prison programming becomes scripted into the logics of incarcerating Indigenous peoples through the important but troubling slippage of punishment into healing” (p. 647). In other words, the discourse that underpins this recognition of culture for Indigenous women incarcerated in a federal prison is and always will be one of punishment.

Indigenous women’s programming further expands on the root causes of anger, where participants are taught that potential reasons for anger include:

Trauma including sexual, physical, emotional or spiritual abuse; unresolved grief and holding in our emotions; growing up in an angry home where anger is considered normal and even expected; growing up in a home where anger was not allowed to be expressed; nobody listening until you get angry; learning to solve all your problems with anger; growing up in a community where there is nothing. (*AWOMIP Facilitator Guide*)

These root causes are certainly logical explanations for one’s feelings of anger. There is, however, no acknowledgement of the broader, structural factors at play for why someone might be perpetually experiencing the emotion of anger. For instance, unresolved grief may be a common feeling for an Indigenous individual who either attended a residential school or had a family member who did (and who may or may not have survived residential school, the sixties scoop, or their lasting impacts), who was apprehended from their parents by the Child Welfare System or had their children apprehended (2015b). Further, “growing up in a community where there is nothing” fails to adequately explain that due to colonization and the legislation that remains in place to control Indigenous peoples (i.e., the *Indian Act*), reserves continue to be a colonially segregated space where there is a profound lack of resources, employment, and infrastructure – indeed, even the most basic of human necessities like clean drinking water – all of which was caused by colonial actions of the government (Truth and Reconciliation Commission, 2015b). Finally, while CSC offers a general recognition of Indigenous peoples’

trauma due to colonization, a mere “acknowledgement” of such abuse (sexual, physical, emotional or spiritual abuse, as stated in the programming module), they do not speak to the specific realities of colonial practices that took place for hundreds of years, indeed a history that not only has the potential to make a prisoner feel a deep sense of justifiable anger, but also to stoke an understandable amount of skepticism in the Indigenous programming discourse and the colonial institution in which they are imprisoned.

While the suggested root causes of anger for Indigenous women are not explicitly false, in practice, they are not accepted as legitimate lived experiences that shape women’s day-to-day realities and have an overall impact on their mental wellbeing. Instead, we see a surface level explanation and minimization of the role of the Canadian government in the ongoing colonial project and a failure to recognize the broader impacts on Indigenous women prisoners’ mental health. As Kemshall (2002) asserts, it is here that we see that “disadvantage and exclusion are re-framed as matters of choice and not of structural processes” (p. 43). Ultimately, women are tasked with regulating these emotions individually – they must manage their anger lest they engage in problematic behaviour. This forces prisoners to be accountable for past experiences that are linked to structural oppressions that are beyond their control – further evidence of the neoliberal underpinnings in correctional programming that reduce social problems to individualized pathologies (Rimke, 2018).

Finally, what is missing in these programming sessions is a recognition that anger may also be a resistance tactic; it may be a strategy drawn upon to resist colonial structures, systemic racism, stigma, and criminalization (Munn & Bruckert, 2010). Anger may be a way to exert one’s agency, a productive way to face the challenges brought upon by systemic barriers and marginalization. As resistance is in a constitutive and reciprocal relationship with power it

accordingly renders power visible (Foucault, 1978) and allows us to recognize the agency with which an individual may choose to be angry about the structural factors that have impacted her lived reality by negotiating power in ways that she is able to, even with constrained choice (Bosworth, 1999). Not only is anger a resistance tactic, but it is also a legitimate emotion (Gould, 2009) and a justified emotional response to unchecked racism, sexism, and poverty (Boylorn, 2020). While Gould (2009) writes of the legitimacy of anger in the context of the AIDS crisis and HIV/AIDS activism, her argument is useful here: feelings can be legitimated through anger, where anger is mobilized with a sense of purpose. CSC, however, seems to suggest that anger is inherently problematic and purposeless – a risk to be managed – rather than a justified feeling and response to the interpersonal challenges and structural oppressions that one is facing.

### **Self-monitoring strategies and “achieving” emotion regulation**

In this final section of the chapter, I present my analysis of the concept of self-monitoring, which is the primary strategy mobilized in women’s correctional programming for emotion management and the overall regulation of mental distress. I demonstrate how self-monitoring is conceptualized in the programming documents, how it is engaged in, and why it is implicitly problematic. I discuss three of the main self-monitoring tools taught to programming participants, in which they must engage to “successfully” complete the programs. The section concludes with a brief reflection and discussion of the perceived positive outcomes of self-monitoring tools, as explained by interview participants.

Self-monitoring is one of the foundations of the Women Offender Correctional Programs and is defined as: “engaging in activities that allow an individual to monitor different aspects of self, including their thoughts, emotions, and behaviours, with the objective of discovering patterns” (*Women’s Engagement Program Facilitator Guide*). It is considered a key strategy in

regulating emotions and managing distress and, of course, reducing risk levels. The theory behind self-monitoring, according to programming material is as follows:

Self-monitoring involves learning to pay careful and systematic attention to problem behaviour and habits, and to the stimuli that trigger them into action. Self-monitoring is a good way for an individual to get to know themselves better. It can help an individual figure out if there are things that they want to change in their lives. It means keeping track of emotions, thoughts or behaviours. It can help individuals learn about patterns in their life and can make them more aware of their emotions and triggers.

There is evidence for the effectiveness of self-monitoring as an intervention strategy. Individuals who use self-monitoring frequently admit that they did not realize, prior to recording the frequency of a behaviour, just how often they engaged in the behaviour. (*Women Offender High Intensity Program*)

The concept of self-monitoring is repeatedly discussed in each programming session in all modules of both the Continuum and Circle of Care programs for women prisoners. Women are taught that dysregulated emotions are at the root of their “problematic behaviours,” and that they must self-monitor to manage any intense or heightened emotions they may experience; they must also learn to become aware of *which* emotions are “intense” or “problematic” to allow them to “effectively manage those emotions” (*Women’s Engagement Program Facilitator Guide*).

According to CSC, engaging in self-monitoring means:

Keeping track of what the individual is feeling, thinking or doing. It can help an individual learn about patterns in their life and can make them more aware of their feelings and triggers. Just keeping track of a behaviour can help an individual to change by making them aware of their patterns. Self-monitoring is a mindful activity, keeping individuals focussed on the here and now.

Ultimately, the goal of this approach to emotion management is for participants to learn how to better regulate their actions, to reduce their likelihood of engaging in “problematic behaviours” and “criminal behaviours.”

Self-monitoring is accomplished by being both self-aware and self-disciplined, according to programming documents. Women are taught that being self-aware allows them to “identify

their underlying needs connected to their emotions. They then identify and examine effective and problematic behaviours for meeting their needs” (*WOMIP Facilitator Guide*). Prisoners are given the following information when it comes to being self-aware of their emotions:

- ⇒ Self-awareness is an essential part of making changes.
- ⇒ Problematic and criminal behaviour can negatively impact an individual’s ability to be self-aware.
- ⇒ Self-awareness motivates individuals to make changes and positively impacts individuals in many ways.
- ⇒ Everyone has positive characteristics and strengths that will help them make changes. These are also called protective factors.
- ⇒ Self-awareness is an important part of making changes.  
(*AWOMIP Facilitator Guide*)

Self-awareness also operates alongside the concept of self-discipline, abilities that women must improve to manage emotions. Self-discipline is “the act of controlling or power to control one’s own emotions, desires or behaviour.” The *Women’s Engagement Program Facilitator Guide* goes on to state that “self-discipline involves choice. A person can choose to exert self-discipline for a particular behaviour and avoid negative consequences or to experience positive consequences.” The neoliberal underpinnings of the concepts of self-monitoring, self-awareness, and self-discipline are quite clear – indeed, the prefix alone, “self,” indicates that rehabilitation must come from the individual. According to governmentality theory, this is a marked example of the mobilization and intertwining of a political rationality within a discourse. Correctional programs mobilize and actualize the self-monitoring discourse through power/knowledge and a technology of government, or penal practice, that works *through* subjects (Dean, 2010). Power is not exerted upon or over an individual in an explicit sense, but rather is exercised through prisoners who self-govern according to the responsabilization strategies they are taught in correctional programming (Hannah-Moffat, 2012). In turn, power works in and through

individuals, revealing an important aspect of neoliberal thought – governing at a distance (O’Malley et al., 1997; Rose, 1996, 1999, 2000).

I recognize the inherent value of being aware of your feelings, thoughts, and behavioural patterns, and that knowing yourself and what you want to change in your life is not an inherently harmful strategy and comprehensible that teaching prisoners these concepts could be incredibly beneficial for some. Yet, relying on self-awareness to reduce recriminalization implies that criminalization is an *individual* problem to be solved by simply making better choices. This perspective fails to acknowledge that women may be mentally distressed or highly emotional not because of an individual “choice” they have made (which then led to their incarceration) but because of broader structural factors and life circumstances outside of their control – for example, the complicated effects of intergenerational trauma and poverty due to colonialism (Kilty, 2012a; Pollack & Kendall, 2005; Rimke, 2018). Indeed, it is problematic to assume that by learning to self-monitor, a prisoner may alter her emotions and achieve rehabilitation, creating “real” life changes for when she is released. This idea is rooted in the individualism characteristic of both neoliberalism and psy discourses, which inevitably “ignores the impact of social factors on people’s choices and behaviour” (Pollack & Kendall, 2005, p.73). As one participant stated, “Just because you were inside doesn’t mean that anything outside or your situation has changed” (Dana).

Below, I turn to the various self-monitoring tactics prisoners must engage for program facilitators to consider them to be “successfully self-monitoring” such that their emotions and mental distress are being managed and their “problematic behaviours” reduced. I also reflect on how each of these tactics invokes technologies of government and how neoliberal, psy, and gender discourses intertwine to encourage individuals to self-govern through “autonomous”

decision making, which allows for “appropriate” self-regulation (Cruikshank, 1999; Pollack & Kendall, 2005; Rose, 1996; 1999, 2000).

## **Journaling**

Journaling is one of the self-monitoring methods prisoners must engage to “successfully” manage their emotions. According to the *Women’s Engagement Program Facilitator Guide*:

Journaling is a tool that is used in all programs for goal monitoring. Similar to the Emotion Management Log, journaling can be another way of keeping track of patterns and experiences. It allows people to express their emotions in a healthy way. Journaling can be a great form of therapy. Keeping a journal is a way to help individuals work through problems. Journaling is a form of self-help.

Further, journaling “encourages participants to acknowledge their behaviour and habits,” to help them “get to know themselves better,” and to “figure out if there are things that they want to change in their lives” (*WOMIP Facilitator Guide*). Prisoners are to reflect on and journal about questions such as, “What were my thoughts today? How do I feel about myself today? What lessons did I learn about myself or my relationships? What did I do today? What would I like to change about today? What did I do differently today?” (*WOMIP Facilitator Guide*).

Journaling to manage emotions is not as inherently “therapeutic” as it is presented in the programming material and reflects the neoliberal ideal where individuals are governed through their freedom (Rose, 1999); however, the idea of freedom, as I explained in chapter three, has transformed through neoliberal discourse and does not simply mean one has the power to do whatever they like in a particular context, but rather that we are governed through our freedom to self-regulate in pre-determined acceptable ways (Rose, 1999). This strategy of governance considers individuals to be rational, responsible, and autonomous, “free” to choose to govern themselves “appropriately” (Dean, 2010; Rose, 1993, 1996). In the context of self-monitoring through journaling, we see that prisoners are not simply encouraged, but rather are required (for

“successful” program completion) to write in their journals as a way for them and correctional staff to monitor their progress with emotion management. Journaling is therefore not a private act, but a public one, where the prisoner’s words are evaluated by correctional authorities for authenticity and the individual is assessed for their commitment and efforts toward taking responsibility for their actions. Responsibility in this equation cannot include acknowledging the structural oppressions and one’s past victimization experiences that complicate and constrain choice-making (Bonnycastle, 2012). Prisoners are responsabilized to be self-aware and self-disciplined for the sake of risk management and, ultimately, rehabilitation.

It is important to note that the journals are not confidential and that the program facilitators closely examine women’s journals regularly. One interview participant describes the journaling tasks she had to complete and how she was unable to be entirely honest due to fear of increased surveillance and other possible institutional consequences:

Like journaling is great but it’s also very personal. So, if you’re gonna ask somebody to keep a therapeutic journal, it should not be read by anybody really unless that person wishes to share it. But we had to submit our journals all the time and hand them in. Now if you say anything in the journal about ‘Oh I got in an argument with this person in my house or this happened’ ...like you had to be very careful. (Dana)

Journaling can be a highly personal, cathartic, and therapeutic experience and tool for some individuals. Yet, when prisoners know they must submit their journal to the program officer to review, one must question, as Dana alluded to, whether participants can disclose their feelings honestly and, if not, whether the practice can achieve what is intended. However, without submitting “proof” of their efforts to engage in self-monitoring and emotional regulation, women are not considered “successful completers” of the program.

The implicit impact of requiring prisoners to submit their journals is not that they experience the therapeutic benefits of writing (otherwise they would be allowed to keep private

journals), but that they write what they must to be considered “self-monitoring” by program staff. Consequently, this may result in a prisoner re-writing their story exactly as the program facilitator (and CSC more generally) seeks to hear it. This is consistent with research that has found that in CBT prison programming, prisoners accept the unquestioned “Truth” as narrated by the state (including accounts by police and correctional and psy experts) and tend to tell their stories and structure their narratives in ways that take on the precise language and thinking they are told, by program facilitators, to adopt (Bonnycastle, 2012; Schlosser, 2015). Ultimately, this form of emotion management reinforces carceral narratives.

### **The Emotion Management Log**

The Emotion Management log is another self-monitoring tool that prisoners are required to engage during their participation in correctional programming. According to the *Women’s Engagement Program Facilitator Guide*, the Emotion Management Log “helps participants in tracking their experiences with intense emotions” and is “used to help identify emotions that can lead to problematic behaviour linked to crime.” (*Women’s Engagement Program Facilitator Guide*). The Emotion Management Log is premised on the concept of self-awareness: “If we are aware of which emotions are intense or problematic for us, we can plan and prepare to effectively manage those emotions” (*Women’s Engagement Program Facilitator Guide*). It is suggested that by having more awareness of their emotions, prisoners can understand their own triggers and how to regulate their emotions when they are confronted with a trigger.

Like journaling, it is not inherently problematic to teach prisoners to be aware of their emotions and what triggers them; such awareness is, arguably, essential for boundary-setting in everyday life. What is problematic, however, is the implicit gendered assumption at the root of the Emotion Management Log – that women are emotionally out of control – and it is their

unmanaged emotions that have led to their “choice” to engage in behaviour that has subsequently led to their criminalization (Pollack & Kendall, 2005). It is here that we see the mobilization of dialectical behaviour therapy in women’s correctional programming; when women express certain emotions (anger, frustration with systemic oppressions) they are considered pathological flaws to be cured or rehabilitated (Becker, 2000; Jimenez, 1997; Ussher, 2011, 2013) and must be self-managed through self-awareness (Linehan, 1993).

The Emotion Management Log also includes the “ABCDE Model.” This model is said to encourage women to “understand the connection between [their] thoughts, beliefs, attitudes that precede emotions and behaviours” (*Women’s Engagement Program Facilitator Guide*). The A, B, C, D, and E in the model stand for:

**A, activating event:** what happened.

**B, beliefs:** thoughts and perception about what happened.

**C, consequences:** the resulting emotions and behaviours as well as any outcomes from the emotions and behaviours.

**D, disputing:** question your perception using the CPR tool (consequences, personal standards and reality check)

**E, effective new beliefs:** replacing your beliefs with helpful thoughts.  
(*WOMIP Facilitator Guide*)

According to programming material, the ABCDE Model helps prisoners to sort out thoughts, emotions, and behaviours; see the consequences of their thinking; identify harmful and helpful thinking; and dispute harmful thoughts or beliefs. Participants are also told that the more they practice using both the Emotion Management Log and ABCDE Model that it will become easier to use and they will become more effective at managing intense emotions. Indeed, the *WOMIP Facilitator Guide* goes on to state:

If they learn to use tools such as self-monitoring while incarcerated, they will increase the likelihood of effectively managing their emotions for when they return to the community. They should be using the self-monitoring tool whenever they are experiencing intense emotions. The Emotion Management Log is a tool that they can use and complete on their own time. There will be follow up to check to see if they are using the Log and that

additionally copies of the Emotion Management Log will be available.

In other words, the more participants engage in self-governance and self-discipline, the more they are able to “restructure” their “faulty” thinking patterns and the better they will fit into the ideal neoliberal woman prisoner. Bonnycastle’s (2012) research similarly highlights this strategy for men in CSC’s sex offender programming, where they are required to “speak a neoliberal discourse” (p. 61) in their thinking reports, assumption logs, and feeling journals. Bonnycastle (2012) found that men were not permitted to share old memories and life stories as *they* remembered them; rather, facilitators mobilized discursive strategies that reinforced individual responsibility and ignored the wider structural or socio-cultural context.

Like their journals, women’s Emotion Management Logs are submitted to and discussed in one-on-one meetings with their program facilitator. Accordingly, it is understandable that in order to achieve a “passing grade” to successfully complete the program, prisoners may alter their narrative for the experts for whom the logs are intended, performing a particular “version” of themselves to demonstrate their self-awareness and self-discipline (Schlosser, 2015). When recounting her experience with using tools and strategies from programming, Alicia expressed:

A lot of women believe that it didn’t work. We only did it because it’s mandatory but realistically it doesn’t do a damn thing. If a woman is going to reoffend, she’s going to reoffend. ... Yeah she’s not thinking about ‘hmm, what are my- what should I think? Should I think about my CPRs, what should I think? Should I take a time out?’ Like no! No one is thinking about that right now.

Again, while the intention of teaching women prisoners to sort out their thoughts, behaviours, and emotions through the ABCDE model is not inherently negative, it is the context in which this model is taught to prisoners that raises concern. When women engage with rehabilitation discourses, the responsibility rests solely with them with little consideration for their intersecting identities, life context, or systemic oppressions that challenge their progress (Rimke, 2018). The

underlying intention is that with prudence and self-discipline, prisoners may be transformed into emotionally regulated, rational, risk-managing subjects (Hannah-Moffat, 2015, 2018; Martel et al., 2011).

### **Completing the Emotion Management Toolbox**

There are several other skills and strategies that are taught to prisoners in correctional programming and that are part of an overall emotion management “toolbox” – thought stopping, time out, calming self-talk, and grounding techniques. These strategies are to be deployed in situations where one is experiencing heightened emotions and are intended to reduce “problematic behaviours” that might otherwise follow. Like the previous two strategies, each of these tools places the onus on the individual and responsabilizes her to be self-disciplined in regulating her emotions. Below are brief descriptions of each of these emotion management tools.

Thought stopping is considered as “an emotion management skill that helps you abruptly stop problem thoughts that keep intruding and upsetting you” (*AWOHIP Facilitator Guide*). To engage in “thought stopping” the following steps are encouraged:

1. Recognize when repetitive thoughts are becoming a problem,
2. Say STOP!!! Loudly to yourself and then more quietly (out loud or in your mind) or visualize a red stop sign in your mind
3. Do something to calm yourself down (e.g., count backwards from 20)
4. Distract yourself until the repetitive thoughts are no longer a problem  
(*AWOHIP Facilitator Guide*)

Similarly, the time out five step skill for emergency situations is used when emotions are particularly heightened, and involves the following:

1. Recognize when your emotions are becoming a problem.
2. Leave the situation.
3. Do something to calm yourself (e.g., calming self-talk).
4. When you are calm, decide what you want to do with the situation.

5. Return to the situation when you are calm.  
(*AWOHIP Facilitator Guide*)

Calming self-talk “are phrases or reminders that work for you to cool you down and keep you on track. They are positive statements about yourself and your ability to manage a situation” and are a strategy used when a prisoner recognizes that their “emotions could lead to a negative consequence” (*AWOHIP Facilitator Guide*). Finally, according to the *AWOHIP Facilitator Guide*, grounding techniques are mindfulness strategies that are “used to cope with intense emotional states, especially when you are thinking of using harmful or problematic behaviour.” Grounding techniques involve breathing, awareness of self and environment, and creating a comfortable or nurturing environment (e.g., carrying a journal). Each of these strategies are taught in all levels of the (A)WOCPC Circle and Continuum of Care, where prisoners not only learn the information but also practice these skills together in groups.

While these are appropriate strategies for all people to deploy in difficult situations of heightened emotions, like all other emotion management strategies taught to women in correctional programs, when practiced in surveillant and carceral spaces these tools are underpinned by gendered, neoliberal discourses. It is important to note, however, that despite being taught to deploy these strategies in moments where one has been emotionally triggered, women are simultaneously discouraged from using this language and these tools in interactions with prison staff. One participant, Riley, recounted a story of being faced with a situation where there were threats to move her from the medium compound to maximum security because of an incident she was involved in. When she tried to use the program tools of self-monitoring and managing her emotions and deployed these strategies while in conversation with staff, her behaviour was rejected by the staff member she was dealing with at the time. She explained:

So they teach you these programs, they teach you these skills, and then the staff don't go by it. [...] And so that's one thing I don't like. It's like, you teach us these things, you teach us these skills and you expect us to use them. But like, it's discouraging. If someone actually wants to change and you're taking in the program and then like you're in trouble and you're trying to use these tools and they're like... Go fuck yourself. Like why is anyone going to use them...like stop teaching us things if you don't want to use them. (Riley)

Riley was not the only participant to recount a story of using program language with guards.

Dana explained that she witnessed her housemate being given an institutional charge for disobeying rules (listening to music past curfew) and that she was also given an institutional charge for simply being present during the exchange between her housemate and the guard. Dana told me:

So, one of the programs, WOMIP, it teaches you if you're angry be assertive and communicate your feelings. So, [my housemate] said to the guard I'm feeling angry right now and one of my coping tools is my music. You're making me angry and I'd like you to leave.

Even though this prisoner explained exactly how she was feeling according to the language she learned in programming regarding how to regulate her emotions (i.e., using a grounding technique and assertiveness in communication), she was overtly punished for her actions. In viewing these situations through a critical lens, we can understand how power/knowledge is constituted through the gendered regulation of women's emotions. The "risky" and "unruly" prisoner, the "defiant woman who rejects authority which would subjugate her and render her docile" (Faith, 1993, p.1) and who may be experiencing distress and coping with it as she has been directed through programming, is punished for enacting "thought stopping" and the "five step skill for emergency situations" *because* she directed these strategies toward staff, whom she is expected to obey without question. When a woman is unable to self-discipline prior to a confrontation with a prison guard, when she is unable to manage her own risk, she is punished

(Hannah-Moffat 2001, 2005, 2013; Pollack, 2009, 2010). Nevertheless, women continue to be taught that “successfully” self-monitoring to manage their emotions is the ultimate goal.

### **“Successfully” self-monitoring: Program completion and beyond**

Once a program has concluded, participants “graduate” and either move on to the next required program, as per their correctional plan, or are considered to have completed the (A)WOCB necessary for their “rehabilitation.” In their very first session of programming, participants are provided with information on “how to get a good report”. A handout provided to prisoners who partake in WOMIP states they must:

Be genuine

Be on time.

Do your homework, but not during group time.

Don’t do anything in group other than what the facilitators are instructing you to do. This includes reading/writing letters, filling out forms, talking to the person beside you, reading magazines, listening to music, etc.

Put some time and effort into it. If it is easy, you aren’t doing it right.

Create a detailed Self-Management Plan and know what it says.

Participate positively. (*WOMIP Participant Workbook*)

The program officer completes a report which summarizes the individual’s participation and effort throughout the program. Participants who are compliant with instruction, who actively participate in skills practice and group activities during sessions, who complete the required homework, and who submit journal entries and consistently complete their emotion management logs receive a different completion report and certification than those who do not. A CSC administrative file document provides an overview and training for program officers and outlines the instructions for this completion process:

Once participants have successfully completed the program, provide the Certificate of Completion which indicates successful completion. For participants who have attended all 12 sessions but have not identified a vision for the future and/or goals and/or not participated fully in sessions, use the alternate Certificate of Completion. This certificate indicates that the participant attended all 12 sessions. (*WOCB Administrative File*)

Correctional programming governs through freedom, technologies of the self, and the will to empower by requiring prisoners to act upon themselves in order to become “better and improved” versions of themselves who are “prepared for a crime-free lifestyle” (Cruikshank, 1999). Through ongoing self-discipline and self-surveillance, it is not only suggested, but rather required, that prisoners consistently evaluate and regulate their behaviour (according to ideal standards identified by corrections) and to seek out areas for self-improvement, especially areas that they are *mandated* to work on as per their correctional plans. Those who engage in self-monitoring and self-discipline are considered “successful” program completers, while those who are perhaps more critical and less inclined to go along with carceral discourses are considered to be “unsuccessful” program completers. In other words, prisoners who govern through technologies of the self are institutionally rewarded.

This imperative to turn the gaze inward and modify behaviour pivots on carceral discourses of rehabilitation and risk, as the very nature of correctional programming is to “fix” a behaviour and reduce the risks that resulted in incarceration in the first place (Cruikshank, 1999; Foucault, 1988). The (A)WOCP Facilitator Guides and Participant Workbooks repeatedly use language that necessitates self-discipline through eliminating problematic behaviours, which is the ultimate target of change. The premise is to teach women how to identify and manage the “problematic behaviours” that led to their criminalization. Power relations indirectly shape individual actions, and it is here that we see that CSC is attempting to “help people help themselves” (Cruikshank, 1999, p.4). The consequences of not engaging in self-discipline and of not “fixing themselves” can be dire. As one participant explained:

If you don't participate it looks bad like – because this report goes to the parole board. So, if you don't participate, you get a shitty report. But it's like you can't really participate if this has nothing to do with you. So, I'm like...why am I...jeeze. Like why

are we doing this right now? Like this has nothing to do with me I can't... I feel like if they're going to do a program like this they need to [do it] by need. (Alicia)

As Alicia stated, depending on the timing of program delivery during a prisoner's sentence, receiving a full certificate of completion is necessary for a prisoner to be released on parole; program completion can therefore become an implicit factor in determining punishment.

### **Grappling with lived realities and positive perceptions**

While it is important to be critical of the ways in which CSC discursively constitutes women and how women are regulated through normative discourses in prison programming, it is also essential to reflect on women's lived experiences and their perceptions of programs as they narrate them. Grappling with two seemingly contradictory ideas is not a straightforward task. Viewed through a critical criminological lens, CSC programming is undoubtedly problematic; yet, viewed through a feminist, critical realist lens, it may also be helpful for some. As a feminist researcher who is committed to grappling with the complexity of the meaning of correctional programming is an essential part of the methodological process. Indeed, as Cruikshank (2003) asserts, researchers have a responsibility to create a narrative that is based on our participants' realities as they live it as opposed to settling on a decided scholarly "Truth."

While this chapter advances the overall argument that programming is individualist, gendered, and regulatory, I cannot deny the lived realities of some women who found the programming to be a positive experience. Not all participants were critical of the "tools" gleaned from their participation in programming, such as journaling or the "Stop and Think" method. Karen, a woman who was incarcerated for 21 years and spent most of her adult life in federal prison recounted feeling grateful for what she learned in the different programs she participated in during her two decades inside. Karen told me about her life pre-incarceration, where she spent most of her childhood moving from foster home to foster home and running away from them;

she was abused physically, sexually, and emotionally, and she struggled with substance use.

Karen wanted to make it clear to me that without the programs she would not have known how to handle the mental distress she experienced, how to engage in everyday tasks such as problem solving, and she would not have stopped using drugs. Regarding emotion management and journaling, she said:

Yeah and I like to journal. Because it gets my thoughts out on paper and no matter what it is it's there and it helps me to de-escalate, to calm myself down so I'm not so... feeling... a lot of emotion. It helps me. [...] The emotion regulation helps to regulate the emotions so you have different skills and different ways to deal with the emotions you're feeling. [...] And [the programs] helped me to understand myself more. They helped me to grow. They helped me with my self-esteem. So, they helped me to grow, to learn how to love myself and know that what happened in my past was a learned behaviour... I learned it growing up and that's why I was in the situation I was in. (Karen)

While I acknowledge Karen's experiences, I suggest that the programming she completed (and subsequent strategies she gleaned from it) could be made available in the community, a critique which centres an abolitionist agenda and a shift toward decarceration.

Riley also liked the programs and what she learned: "I actually like the programs. I'm probably one of the only people that will ever admit to it. Like I took a lot from them. Like some of it's fucking [ridiculous]. But I liked the programs." As she explained to me, prior to actively participating in programming, she would often react to an intense situation physically before thinking it through mentally. She proceeded to explain that she is now able to analyze the context of a situation first "before flying off the handle" (Riley).

## **Conclusion**

In this chapter, I explored the gendered ways in which correctional programs discursively constitute women as being motivated by their relationships and emotions, and how they aim to manage women and their mental and emotional distress through the correctional programming matrix, predominantly by responsabilizing them to engage in self-governing strategies to regulate

their emotions, which is necessary to “achieve” rehabilitation. I started by exploring how women are “known” and constituted in correctional programming through discourse, power, and knowledge, especially in relation to their sexuality, relationships, and experiences of mental distress. The second section of the chapter discussed emotion management and the gendered and raced control of women’s emotions through the mobilization of discourses of responsabilization and self-discipline. Finally, I explored various self-monitoring tools and strategies that women are taught in programs and in which women are responsabilized to engage.

In the next chapter I discuss discourses of empowerment, self-esteem, and choice that circulate in and through correctional programming for federally sentenced women and the discursive strategies that are deployed to frame rehabilitation as an individual imperative. I unpack the narratives of benevolence that are scattered throughout programming material and the implication that women can be “cared” into “post-criminality,” and argue that these discourses are implicitly tied to ones of punishment and control.

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## CHAPTER 7 – Rehabilitating the Risky Woman: Gender Responsivity & Benevolent Punishment

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Taking responsibility for offending is tacitly connected to risk minimization and is central to evaluations of future risk – ironically not of victimization but offending. Here freedom (the capacity to choose one’s actions without external constraints) and agency (the power to act) are conflated, producing a ‘new form of institutional licensing’ [Culpitt, 1999: 50]. Women’s gendered experiences are transformed into potentially foreseeable risks that someone is accountable for and therefore open to sanctions [Rose, 1998]. Such practices contribute to the continued marginalization of women who are already at the ‘correctional fringe’. (Hannah-Moffat, 2004a, p. 247).

### **Introduction**

Canadian prisons for women are recognized around the world for their progressive and holistic approach to incarceration and for implementing a women-centred model of penal governance. The current correctional programming model is touted to be “innovative” with the goal of enhancing accessibility and participation that will facilitate treatment and rehabilitation (Harris et al., 2015). Viewed through a critical feminist criminological lens, however, we see that this benevolence lies on the surface of CSC policy, but that it does not always translate into practice, despite institutional claims that this logic is at the forefront of women’s correctional programming. In this chapter, I suggest that the notion of benevolence as a gendered correctional logic is operationalized and reconstructed through neoliberal and traditional punishment logics. The result is that the discourses that are (re)produced in the Continuum and Circle of Care programs – programming that is intended to care for, empower, and rehabilitate women – exhibit forms of both covert and overt control, coercion, and punitiveness that reflect a new form of “institutional licensing” described in the above quote.

In the previous chapter, I explored the gendered ways in which the prison discursively constitutes women as mentally distressed and as primarily motivated by their relationships and emotions, and how correctional authorities manage women and their mental and emotional distress. This chapter unpacks the gender responsive strategies that CSC deploys through the correctional programming matrix used to rehabilitate women. Through discourses of empowerment, self-esteem, and an ethic of care, women prisoners learn, through their participation in required programming, that they must *choose* to rehabilitate themselves, which absolves the prison of the responsibility to engage in rehabilitative care and support efforts that are grounded in alternative feminist or mutual aid logics. Moreover, I suggest that despite the appearance of women-centred care and concern, women are subject to control and coercion in and through prison programming as well as their interactions with correctional staff.

The chapter begins with a brief overview of two important concepts that form the basis of the chapter – gender responsivity and rehabilitation. I then proceed to explore discourses of empowerment and self-esteem, which circulate in programs for women as feminist-inspired motivations to engage in self-governance strategies that “allow” women to “achieve” rehabilitation. I also deploy an intersectional lens to consider how Indigenous women’s self-esteem is presented in the AWOCP Circle of Care, namely that it is implicitly tied to their cultural identity. The next section of the chapter examines the ways in which programming purports to “care” women into “post-criminality” vis-à-vis an ethic of care. Here, I mobilize the Foucauldian notion of pastoral power as well as Dawn Moore’s (2011) concept of therapeutic surveillance to unpack how the seemingly benevolent intentions of gender responsive programming result in the increased surveillance of women prisoners. The section then analyzes how mainstream governance feminist discourses are (re)produced in and through programs and

staff training documents. The final section of the chapter explores the discursive representation of the “unempowerable prisoner” and addresses discourses of control and coercion that lie beneath those of care and concern.

### **The method and the goal: Gender responsivity and rehabilitation**

This section offers a brief but necessary review of gender responsivity, the framework upon which all policy and practice is said to be based in women’s prisons, and which undergirds all rehabilitative interventions for women prisoners. Gender responsivity and rehabilitation are the two foundational concepts for this chapter, in which I argue that despite the policy shift to focus on women and their diverse needs and backgrounds, correctional programming for women remains rooted in empowerment and caring discourses that fail to account for the structural relations of power that lead women to come into conflict with the law in the first place. Ultimately, gender responsivity’s narrow framing, as well as its mainstream governance feminist and psy roots, task women with making the individual “choice” to rehabilitate themselves inside a penal institution that is designed to punish the bodies within it.

Twenty years ago, in response to *Creating Choices*, a report generated by the Task Force on Federally Sentenced Women, CSC began to implement gender-informed policy and practice within all aspects of women’s corrections, including in correctional programming and mental health intervention (Chartrand & Kilty, 2018; Hannah-Moffat, 2010; Harris et al., 2015; Pollack, 2009, 2012; see also chapter two for a more detailed discussion and critique of *Creating Choices*). As a reminder, the *Creating Choices* report advocated for women-centred, holistic, and non-punitive prisons for federally sentenced women and indeed became the catalyst that led to the implementation of a gender responsive framework in programming (Chartrand & Kilty, 2018; Hannah-Moffat, 20004a, 2008, 2010; TFFSW, 1990). The foundation of CSC’s gender

responsive framework includes five overarching principles: (1) empowerment, (2) meaningful and responsible choices, (3) respect and dignity, (4) supportive environment, and (5) shared responsibility (TFFSW, 1990; Chartrand & Kilty, 2018; Hannah-Moffat, 2010). The resulting interventions are purported to be responsive to women's psychological development and their unique individual and collective needs and learning styles (Harris et al., 2015). CSC has been criticized, however, for excluding advocacy organizations in the implementation of *Creating Choices* and instead reconstructing the feminist narratives into ones of risk management, security, and punitiveness (Maurutto & Hannah-Moffat, 2018).

While all principles are salient in the (Aboriginal) Women Offender Correctional Programs ([A]WOCP) Continuum and Circle of Care, particularly pertinent to this chapter are the principles of empowerment, respect and dignity, and supportive environment. While empowering women is historically rooted in the feminist agenda as a way of acknowledging women's choices and agency, it has since been translated through neoliberal logics that conflate agency and freedom and depoliticize feminist language (Hannah-Moffat, 2004a); the resulting framework situates individuals as free to make responsible choices for their own wellbeing (Cruikshank, 1999; Hannah-Moffat, 2001; Pollack, 2000). In the carceral context, empowerment is further reconfigured through the lens of risk management and responsabilization – indeed, it has been “folded into the punitive carceral logic that structures federal corrections for women in Canada” (Chartrand & Kilty, 2018, p.114). Further, both the respect and dignity and the supportive environment principle are based on a gendered, maternal ethic of care that also lies at the root of programming for women prisoners. CSC claims to deliver a “different kind of justice” in women's prisons, yet, as I will explore toward the end of the chapter, these caring discourses are absorbed by ones of punishment and control. These principles and discourses are discussed in

further detail throughout the chapter, but it is nevertheless essential to note here that these are two unintended outcomes of implementing a gender responsive framework in CSC prisons for women, the foundation upon which all programming is structured.

The implementation of gender responsiveness in federal penitentiaries for women was CSC's way of drawing from feminist discourses and incorporating them into the risk-need-responsivity (RNR) model, which, at the time, was criticized for failing to consider gender differences (Hannah-Moffat, 2001, 2008). The RNR model is what guides the assessment and treatment of prisoners in Canadian federal prisons and is based on an actuarial calculation of individual risk factors (Andrews et al., 1990; Bonta & Andrews, 2007, 2010). Problematically, the RNR model has been merged with a feminist-inspired notion of gender responsiveness, which, notably, "does not construct gender (or race and culture) as a variable to be controlled for in a statistical analysis" (Hannah-Moffat, 2008, p. 199). Gender responsiveness rooted in feminist principles would require the acknowledgement of the different structural contexts that shape women's lives (Hannah-Moffat, 2008). While gender is – objectively speaking – a variable that informs the governance of women's penalty in CSC penitentiaries, it was simply added to the existing structure of the RNR model, specifically to the "responsivity" aspect, while risk and need supposedly are "gender-neutral" (Hannah-Moffat, 2008). It is here that we see the continued legacy of the "add women and stir" approach (Chesney-Lind, 1988) – gender is added as a variable to be considered, which does not sufficiently address the role it plays in creating material differences between men and women (Chunn & Menzies, 2014).

Gender responsive penal approaches emphasize individual deficits or differences and decidedly do not capture "the nuanced complexities of 'difference'" (Hannah-Moffat, 2008, p. 199). As I argued in the previous chapter, while CSC claims to acknowledge women's diverse

experiences, they seem to do so more in words than in action. Indeed, suggesting that women's programming is a "different kind" of justice, one with benevolent goals that aim to rehabilitate prisoners, is a way of distinguishing the Correctional Service of Canada as apart from and more progressive than the approaches taken by other penal institutions around the world. Promoting gender responsiveness as reforms to the penal system altogether "limits the possibilities for transformative changes because the diverse needs of marginalized women are relegated to internal and institutional mechanisms of redress that ultimately reinforce the legitimacy of the prison system" (Russel & Carlton, 2013, p. 486). This chapter unpacks the ways in which gender responsive discourses deployed by CSC through correctional programming become subsumed within carceral logics to rehabilitate risky women through seemingly benevolent punishment.

Before diving more deeply into the analysis portion of the chapter, it is also necessary to briefly review the concept of rehabilitation and its relevance to correctional programming. While gender responsiveness serves as the framework upon which women's programming is structured, rehabilitation is the therapeutic goal of programming, one that individuals must make the choice to work toward throughout their sentence. The concept of rehabilitation was introduced by the penal system itself as it shifted away from corporal punishment (Shaylor, 2009). It is based on the premise that prisoners have something fundamentally wrong with them that must be fixed, and imprisonment serves that function (Shaylor, 2009). The *Corrections and Conditional Release Act* is the legislation that dictates this goal. Rehabilitation is far more complex, however, than simply "returning to a former state or capacity," especially during a period of confinement in a federal penitentiary.

Garland (2001) posits that rehabilitation has become redefined to focus on issues of crime control as opposed to individual welfare. He states,

Offenders can only be ‘treated’ [in programs] to the extent that such treatment is deemed to be capable of protecting the public, reducing risk, and being more cost-effective than simple, unadorned punishment. Rehabilitation is thus represented as a targeted intervention inculcating self-controls, reducing danger, enhancing the security of the public. In the new framework rehabilitation is viewed as a means of managing risk, not a welfarist end in itself. (p. 176)

CSC is required by legislation to rehabilitate prisoners and they do so by engaging them in programming that is designed to be corrective, holistic, and gender responsive. What lies beneath the rhetoric of rehabilitation and the seemingly benevolent intentions of prison programming is, as Garland (2001) suggests, an alternate form of rehabilitation, one that does not necessarily benefit individuals but is implicitly designed to reduce their risk to “manage” or “reduce crime” and “protect the public.”

This chapter explores this conceptualization of rehabilitation and the “requirement” that prisoners make an explicit choice to achieve an institutionally prescribed rehabilitative state through mandated correctional programming. In particular, I examine the intersection and overlap of rehabilitation discourses, gender discourses, and discourses of care and control, to reveal how women are managed through “corrective” interventions. I unpack the narrative that prisoners can “choose” to be rehabilitated and can be “cared” into post-criminality by enhancing their own self-esteem, becoming empowered, improving their mental health, and managing their own individual risks. Ultimately, the notion of “achieving” rehabilitation does not acknowledge the structural context of women’s lives and the many intersections of oppression, marginalization, and criminalization that imprisoned women face. Moreover, and as I discussed briefly in chapter two, CSC’s form of rehabilitation appears more so as McCorkel’s (2013) conceptualization of “habilitation,” where the goal is not to restore to a former capacity or condition, but to “break down a self that is incomplete and disordered . . . not to normalize the deviant self, but to manage the unruly one” (p. 17).

## **“Feminist” penal governance: Discourses of empowerment, self-esteem, & choice**

Empowerment and self-esteem are two predominant discourses that are mobilized in and through women’s correctional programming. These concepts are deployed to responsabilize women to engage in their own healing and rehabilitation by reducing their risks and attending to their needs. While both empowerment and self-esteem are rooted in feminist ideals, they have become reconfigured through carceral logics and are considered factors that contribute to a woman’s criminalization. This section explores the ways in which empowerment is discussed in programs as the action that, if engaged, has the potential to motivate women to achieve rehabilitation. Further, I investigate how neoliberal logics are at the root of these discussions of empowerment and the discursive strategies that are deployed to frame rehabilitation as an individual imperative. Moreover, I unpack self-esteem as the preeminent target of change to reduce “problematic behaviours” and the ways it is invoked in relation to correctional expectations for appropriate self-governance. I draw on the Foucauldian concept of technologies of the self to demonstrate how CSC distances itself from the “shared responsibility” principle by responsabilizing women to engage in strategies that improve their own wellbeing.

### **Empowering prisoners to change**

Empowerment is a concept commonly informed by gendered discourses and was popularized by the second-wave feminist movement of the 1960s and 1970s (Cruikshank, 1999; Hannah-Moffat, 2001; Rushing, 2016). It was considered a way of encouraging women to take control over their lives despite the patriarchal societal structures within which they lived. Early feminist writings on empowerment encouraged women to participate in collective agency through political organization, social movements, and grass roots organizing (Marques-Pereira & Siim, 2002). As they had been historically excluded from these and many other aspects of

society, women were encouraged to include themselves as a collective (Marques-Pereira & Siim, 2002). Empowerment was understood to be a way for oppressed and marginalized groups to increase their personal, interpersonal, and political power (Lee, 2001). Traditionally, feminists embraced the concept of empowerment ideologically, politically, and economically and saw it as an avenue that could help them to restructure power relations and to develop collective autonomy, agency, and confidence by attending to the social conditions in women's lives (Hannah-Moffat, 2001; Young, 1994).

In the carceral context, well-intended feminist notions of empowerment have been reconfigured in and through carceral logics that redefined and reconstructed the concept to ensure its compatibility “with [CSC’s] own independent strategy of penal governance” (Hannah-Moffat, 2001, p. 171). This version of empowerment is grounded firmly in neoliberal ideals that pivot on notions of individual choice and responsibility (Cruikshank, 1999; Hannah-Moffat, 2001). Hannah-Moffat (2001) states that it was “appealing” for those who already had power to implement an empowerment discourse in women’s programming because it “enables them to informally and subtly govern marginalized populations in ways that encourage the latter to participate in their own reform; at the same time, it suggests that an alternative to past regimes is being offered” (p. 169). Indeed, implementing empowerment strategies following a *Creating Choices* philosophy was CSC’s “progressive” way to engage in a more holistic, gender responsive approach to programming and a way of doing penal governance “differently.” It is also how CSC was able to responsabilize prisoners as managers of their own rehabilitation while ignoring the structural factors that may have led to their criminalization.

Empowerment discourses are indeed deeply woven into the fabric of present-day women’s programming. This is one of the ways that CSC claims to mobilize women-centredness

and gender responsivity and is born from the principles and recommendations made in the *Creating Choices* report. In each program, women are inundated with the idea that they must be empowered to “choose” a path of change away from their “criminal lifestyle” and “problematic behaviour” toward rehabilitation and healing. To become empowered is to be a rational, prudent, and reformable woman who is ready to take responsibility for both her past and future by changing her own life circumstances and making better choices (Hannah-Moffat, 2001). It is also CSC’s way of engaging in “habilitation” – or breaking down the deviant self in order to manage unruliness (McCorkel, 2013).

A clear example of the neoliberal underpinnings of empowerment discourse in correctional programming is in the overt connections made to self-governance. For instance, one facilitator guide states that prisoners are “empower[ed] to manage their lives by making informed and responsible choices. Empowerment is linked to people’s ability to regulate their behaviour by using skills that bring them closer to achieving their goals” (*Women’s Modular Intervention Program Facilitator Guide*). The emphasis on choice and responsibility is notable here; yet, and problematically so, there is little emphasis on equipping (and “empowering”) women with practical skills that may help them avoid criminalization long-term. For example, it could be argued that job skills are equally as important to better position women to acquire employment upon their release, in turn allowing them to avoid the conditions of poverty that may have led to their criminalization in the first place. It is not enough to empower women to make responsible choices without also recognizing and developing the practical skills that may allow them to regulate behaviour and achieve goals (Pollack, 2007). Indeed, Pollack (2007) found that focusing only on cognitive behavioural strategies to change women’s thoughts and behaviours

“comes at the expense of other types of programming, such as job skills and apprenticeship opportunities, in that ‘women deal with their anger but have no roof over their heads’” (p. 167).

Another salient example is evidenced in the Women-centred Training program for staff, where prison employees learn that empowerment allows women to “gain insight into their situation, identify their strengths, and to take positive action to gain control of their lives” (*Women-centred Training Program Facilitator Guide*). In each of these quotes we see that the onus of responsibility to take control and to become rehabilitated is squarely on the shoulders of the individual prisoner herself, altogether disregarding the broader structures that may be connected to her marginalization and criminalization and absolving the prison of shared responsibility in supporting her in more direct, impactful, and necessary ways.

CSC’s version of empowerment also requires that women make “good” choices:

The focus should be on empowerment, which can come from making good choices. We always have a choice. Sometimes our choice is to do nothing. Choices that are aligned with the teaching will provide us with not only a feeling of empowerment but a feeling of self-respect (*Aboriginal Women Offender Moderate Intensity Program [AWOMIP] Facilitator Guide*).

Here, choice is connected to empowerment and there is a notable focus on the individual – one may not *be* empowered but she can *learn to feel* empowered. There is also no acknowledgement that women may make decisions within particular constraints related to their intersecting identities and interlocking systems of oppression that condition their experiences. For example, a woman experiencing poverty may become involved in the drug trade not for the “thrill” of it but because of her own addiction issues or because she is a single mother who needs to feed, clothe, and provide shelter for her children. In the face of choosing between starving children and illegal employment, as an agentic being she makes a constrained choice to ensure the overall wellbeing of her children. Such an individual approach to empowerment demonstrates that CSC’s views

entirely contradict feminist perspectives and origins of the concept (Hannah-Moffat, 2001). Indeed, empowerment is instead linked to responsibility and accountability, “irrespective of structural or situational constraints” (Hannah-Moffat, 2001, p. 175).

The concept of empowerment mobilized in programming material also pivots on gendered discourses and the discursive representation of women as close to their relationships. In the *Women’s Modular Intervention Program Facilitator Guide*, prisoners learn the following:

A woman’s development and socialization differs from that of men. Whereas men’s socialization experiences lead them to focus on themselves as individuals, with separation and individuation being an important aspect of men’s development, women tend to define themselves through their relationships with others such that relationship and differentiation are important aspects of a woman’s development.

The facilitator guide goes on to associate women’s inherent need for connection and relationships with achieving a sense of empowerment and personal growth. It further asserts, “It is disconnection that occurs as a result of isolation or involvement in unhealthy relationships which leads to disempowerment and diminished self-worth for women” (*Women’s Modular Intervention Program Facilitator Guide*). As I discussed in the previous chapter, the idea that only women are influenced (and primarily so) by their relationships is a problematic gendered stereotype based on societal and cultural constructs (Rimke, 2018). More broadly, scholars familiar with psychological attachment theories have long suggested that *all* humans are partially motivated by their relationships and attachment to others (Bretherton, 2000). Connecting relationships with empowerment is how CSC mobilizes gendered discourses in ways that intersect with responsabilization narratives that establish an imperative for women to engage in self-governance to “fix” themselves by acknowledging their own gendered motivations as a hindrance to change.

Stemming from notions of empowerment is the concept of willpower. Programming documents highlight willpower as another individual (neoliberal) strategy women can engage to change their lives. In the same way that women must choose to empower themselves, they must also choose to express the willpower needed to enact change. For example:

- ⇒ Will is our power of choice and the ability to stay committed to a task until it is completed.
- ⇒ Will is the force that helps us to make decisions and then to carry out those decisions.
- ⇒ Will requires both our motivation and determination to take action and to follow through with making our goals reality.
- ⇒ We can use our will “in a good way” for our self, our family, our community and our world. We can also use our will in “the other way” that negatively affects our self, our family, our community and our world.  
(*Women’s Engagement Program Facilitator Guide*)

It is conceivable that mobilizing the concept of willpower to motivate an individual to change may be a useful tactic in certain situations. However, in the carceral context, willpower is translated through a neoliberal logic wherein it is suggested that “if only” a woman has enough willpower to make better decisions and “if only” she *chooses* to commit to change, it is then that she may be “successfully” rehabilitated.

Requiring individuals to turn their gaze inward, to assess and discipline their behaviour through the sheer strength of their own willpower is also where we can identify the Foucauldian concept of technologies of the self at work – namely, through self-surveillance. Using willpower ultimately allows prisoners to “effect by their own means...a certain number of operations on their own bodies and souls, thoughts, conduct, and way of being, so as to transform themselves” (Foucault, 1988, p.18) – in this case, by manifesting rehabilitative ideals. This framing negates the structural factors at play in women’s lives that remain unchanged during their period of incarceration as well as when they are released back into the community, and, notably,

contradicts the premise of women-centredness which is supposed to consider the social, political and cultural context unique to women (*Women-centred Training Program Facilitator Guide*).

While empowerment is the overarching discourse, a prisoner's lack of self-esteem, self-worth, and agency are also targets for change, where an individual must act upon themselves to "steer oneself as an active individual in the empire of choice" (Rose, 2000, p. 334). I now turn to the concept of self-esteem as a target of change to examine how empowerment discourses work in and through individuals via technologies of the self.

### **Correcting through self-esteem discourse**

It is perhaps unsurprising that self-esteem is a target of change in women's programming given its prominence in the empowerment movement – indeed, improving self-esteem was thought to be a way of empowering individuals to be responsible citizens and to prevent "social problems" such as teen pregnancy, violence, addiction, child abuse, welfare dependency, and educational failure (Cruikshank, 1999; Pollack, 2000). The "cure" for such problems was deploying interventions that would improve individual self-worth and morale (Pollack, 2000). Notably, these interventions did not include supports to address the systemic factors that led to such "problems," like structural racism and sexism or providing opportunities and resources to support people in poverty, for instance (Cruikshank, 1993; Pollack, 2000, 2010). While the empowerment movement began as a way of encouraging collective action and agency, a shift in discourse – brought on by neoliberal thought – changed the focus from the collective to the individual (Cruikshank, 1999). Cruikshank (1999) states, "in the discourse of self-esteem, the question of governance is a question of self-governance" (p. 85).

Women prisoners learn in CSC programs that they have certain risks and needs that must be "corrected," or at least reduced, in order to rehabilitate themselves. For example, according to

Bonta and Andrews (2007, 2010) – the creators of the risk-need-responsivity model – risk/need factors for a prisoner may include mental distress, substance abuse, and poor self-esteem, to name a few. Self-esteem is simultaneously a risk and a need factor for prisoners; viewed through a feminist lens we can see how it is deployed in the (A)WOCF Continuum and Circle of Care in ways that are profoundly rooted in gendered tropes and stereotypes. That self-esteem is a central focus in women’s correctional programming originates in the *Creating Choices* philosophy (TFFSW, 1990):

Low self-esteem reduces a woman’s ability to cope. It increases self-destructive behaviour. [...] It can contribute to violence against others. Low self-esteem reduces a person’s ability to plan for the future, to take responsibility for her actions, and to believe she can make meaningful choices that will help her live with respect and dignity. (p. 107)

Links are made here between self-esteem, women’s choices, and “problematic behaviour” where self-esteem is the “catalyst” for criminalization. In turn, women’s life circumstances are wholly decontextualized (Pollack, 2000).

The concept of self-esteem is raised in each program module of the Continuum and Circle of Care programs for women. In all programs except the high intensity programs, the concept is addressed more passively and in relation to other topics and concepts. For instance, in the moderate intensity programs prisoners learn the “CPR Model” (Consequences, Personal Standards, Reality Check) for self-monitoring and are taught that their values and beliefs (i.e., their personal standards) are impacted by their self-esteem: “Not living in accordance with our personal standards can have a negative impact on our self-esteem” (*WOMIP Facilitator Guide*). When it comes to learning about “self-care” (a euphemism for “it is up to you to manage the stress in your life regardless of where it comes from”), prisoners are also taught that maintaining their bodies will result in higher self-esteem that will make it less likely that they will engage in “problematic behaviours” and will give others a “better perception” of them:

Care of the body is important in several ways. Care of the physical body can include good personal hygiene, eating healthy foods, getting enough rest, wearing comfortable clothing and exercising. These behaviours help increase self-esteem, they increase chances that others will better appreciate the individual and want to associate them and they also help prevent illness and disease. (*WOMIP Facilitator Guide*)

Self-esteem is also discussed in the moderate intensity programs as a choice that can lead to building a life of happiness:

Handling life's challenges and feeling worthy of happiness builds powerful self-esteem. It is a crucial part of a good life. *Self-esteem is a consequence of an individual's choices.* In other words, if you choose to be kind and loving to yourself and others, your self-esteem goes up. If you are treating yourself and others badly, it goes down. When your self-esteem is high you feel great; when it's low you feel sad, mad or bad, and generally unhappy. You do not deserve to be unhappy. Happy does not mean getting high. Happiness is feeling safe, content and peaceful. (*WOMIP Facilitator Guide*; emphasis added)

Of course, what each of these passages imply is that the burden of change – for happiness, for others' perceptions, and to properly manage the self – lies within the individual woman and her choices, exclusive of other variables in her life that may very well impact the choices that she makes. Particularly in the last passage, happiness is tied to self-esteem in a way that suggests that an individual simply “chooses” to feel sad (or mad or bad), which accordingly lowers her level of self-esteem and happiness. This narrative negates the oppressions and marginalization that women do not “choose” to experience that may make them feel sad, mad or bad (Ussher, 2011) which “decontextualizes women from the social and political parameters of their lives” (Pollack, 2000, p. 79), notably addiction and mental illness.

A discussion that pertains to self-esteem is not inherently wrongheaded; indeed, all women should be encouraged to be kind to themselves, but because women's lived realities vary based on their intersecting identities, it is problematic to assume that *choosing* to be kind and loving to yourself, and accordingly being able to increase your self-esteem, is the same experience (and such a simple action, no less) for all women. The way that self-esteem discourse

is mobilized produces certain “kinds” of subjects who must act upon themselves so that others (i.e., CSC) do not have to (Cruikshank, 1999). This individualizing approach understands that “the problem *and the solution* to the problem, lie within the individual woman herself” (Pollack, 2001, p. 79).

It is in the high-intensity programs where prisoners who are assessed as “high risk/need or violent” participate in sessions that are entirely devoted to learning about how to improve their self-esteem. In these programs women learn about and discuss the meaning of self-esteem, which is defined in the facilitator guide as “seeing yourself as a worthy human being. [Self-esteem] is your overall value of yourself and how worthy you feel you are.” The facilitator guide goes on to state that self-esteem “comes largely from the set of messages we internalized as children. These messages tell us what we ought to be in order to feel good about ourselves” (*WOHIP Facilitator Guide*).

Participants also explore different facets of the concept, are taught the benefits of having high self-esteem, evaluate their own level of self-esteem, develop strategies to nurture and increase self-esteem, learn that high self-esteem is a “protective factor” when it comes to their risk level, and “decide if they want to change how they currently manage emotions” according to their self-esteem (*WOHIP Facilitator Guide*). The following quote aptly summarizes the framing of self-esteem discourse in the high intensity programs:

People with high self-esteem are less likely to engage in violence and other problematic behaviour, as they have a greater sense of self-efficacy. This means that they feel that they have influence over their lives and they exert that influence. People with high self-esteem feel more confident in their abilities. They are better able to realize their goals and avoid undesirable outcomes. It is likely that feelings of self-efficacy increase their motivation to regulate their behaviour, increasing the probability of reaching their goals. (*WOHIP Facilitator Guide*)

In this sense, self-esteem is presented as a protective factor, or a way of reducing one's risk of engaging in violence or "problematic behaviours." Because increasing your self-esteem is said to lower your risk, the barrier to achieving rehabilitation is found within the self, which again obscures the context in which women may come in conflict with the law (Pollack, 2000).

Self-esteem is also mobilized in and through gendered discourses. In programming material, the concept is associated with how women express their emotions. As I explored in the last chapter, women are discursively constituted as overly emotional, irrational, and hysterical, a gendered stereotype that informs the basis of the gendered regulation of their emotions. Here we see that self-esteem is framed as the cause for a lack of emotional control or self-regulation:

Self-esteem is the degree to which you value yourself as a woman, as a human being. The lower your self-esteem the more likely you are to easily get angry. Women with low self-esteem handle their anger more inappropriately by holding it in or lashing out at others. Women with low self-esteem are also more likely to engage in violence and/or other problematic behaviour. Women with high self-esteem have an increased sense of self-efficacy. (*WOHIP Facilitator Guide*)

Presenting self-esteem in this way is rooted in a patriarchal understanding that women are biologically emotional beings (more so than men, who are assumed to be able to manage their emotions). This binary framing of high and low self-esteem responsabilizes women with a choice: to empower themselves to set aside the roots of their anger and their lowered self-esteem in order to stop engaging in "problematic behaviours" like violence and therefore to attain rehabilitation, or to "not value themselves as women" and therefore remain in a state of low self-esteem, reflecting failed rehabilitation.

Ultimately, women are expected to internalize these narratives – that those who "value themselves" have high self-esteem and that self-esteem is beneficial to everyday life – and to modify their behaviour accordingly. This is a salient example of Foucault's (1988) technologies of the self in action. Prisoners must act upon themselves in order to acquire "greater life

satisfaction” and to “become lovable” (*WOMIP Facilitator Guide*). It is highly problematic that women are taught that to be lovable they must improve their self-esteem, thus situating the locus of a woman’s level of life satisfaction in an external source – indeed one’s satisfaction and the ability to be “lovable” to others implicates a dependence upon other people, which runs counter to the empowerment discourse that emphasizes the need to *love yourself*, as feminist discourse might suggest. This is further evidence of how CSC reconstructs feminist discourse and the recommendations from *Creating Choices* to fit within their own logics. Similar to how prisoners are taught via programming that they are the “cause” of their criminalization, they also learn that they are the “cause” of being unlovable and therefore of having low self-esteem (Pollack, 2000).

Technologies of the self are further illustrated throughout the *WOMIP Facilitator Guide*. Prisoners learn that high self-esteem has benefits that are linked to their past and future “problematic behaviours.” Women may experience benefits such as:

- ⇒ Less likely to engage in violence and other problematic behaviours
- ⇒ More productive and motivated
- ⇒ Willingness to accept responsibility
- ⇒ More resilient, able to “bounce back”

Governing through technologies of the self and requiring prisoners to turn inward to fix themselves is ultimately how government – and power – acts *through* individuals instead of *upon* them (Foucault, 1988; O’Malley, 1996; Rose, 1999). Technologies of the self allow individuals to “effect by their own means or with the help of others a certain number of operations on their own bodies and souls, thoughts, conduct, and ways of being” to attain a particular state (Foucault, 1988, p. 18). In this way, prisoners are encouraged to engage in self-governance to increase and maintain their self-esteem by turning their gaze inward, disciplining their bodies and minds to produce particular thoughts and behaviours (Cruikshank, 1999).

Cruikshank (1999) notes that certain individuals are targeted with these technologies, especially groups and communities considered to be “at risk” (e.g., prisoners). Through self-surveillance and the ongoing management of the self (by way of self-monitoring strategies) that is required in CSC programs for women, women prisoners must continually assess and discipline their own behaviour in order to discover areas for self-improvement and to reduce any risks and needs that impede their path to rehabilitation (Cruikshank, 1999). Moreover, these examples from women’s programming imply that prisoners are “free” to choose to improve their self-esteem and, subsequently, to improve their overall wellbeing, their state of mental health, and the way that others perceive them, yet they do not have access to individual talk therapy that can help support them to do so. Of course, this also fails to acknowledge women prisoners’ intersecting identities and diverse life circumstances, which, ironically, are supposed to be the focus of women-centred programming. Self-esteem discourses also invisibilize the constraints that surround the choices individual women are able to make (or not) within the confines of their incarceration and social circumstances upon release.

***Add Indigeneity and stir: Indigenous women’s self-esteem***

In the previous chapter I unpacked the ways in which Indigenous women’s emotions are framed and discussed differently than non-Indigenous women’s emotions in correctional programming. In the context of self-esteem discourse, however, the concept is, for the most part, conceptualized identically in both Indigenous and non-Indigenous women’s programming. The only modification in the way it is presented is that in the AWOCIP Indigeneity is simply “tacked on” as an additional layer and is not framed differently or spoken about through a decolonial lens. This tactic is reminiscent of the “add women and stir” approach in the early developments of feminist criminology (Chesney-Lind, 1988; Chunn & Menzies, 2014). While self-esteem is

conceptualized in the same ways in both program streams, Indigenous women learn that their self-esteem is also tied to their Indigenous identity and culture. In other words, similar to how an additive approach was used to study women in conflict with the law (i.e., rather than studying women and gender separately, these markers were simply “added” to the already existing mainstream criminological studies of crime), Indigeneity is simply “added” to the conversation about self-esteem rather than reconfiguring it through a lens of (de)colonization.

In Indigenous women’s programming, there are additional program sessions that discuss “Aboriginal identity” in relation to self-esteem. The program asserts that, upon their arrival to what is now known as Canada, settlers (or “Euro-Americans” as the program material calls them) and the colonial practices they forced upon Indigenous peoples made Indigenous peoples ashamed of their identity; this shame continues to have lasting impacts in present day (*AWOMIP Facilitator Guide*). Indigenous participants are taught that their culture, values, and beliefs are “important in the formation of a positive identity . . . which impacts self-esteem” (*AWOMIP Facilitator Guide*). The facilitator guide goes on to state: “Many Aboriginal offenders have little knowledge or understanding of Aboriginal culture. Being unaware of one’s heritage and culture, may lead to low self-esteem and feelings of shame” (*AWOMIP Facilitator Guide*); women are therefore taught that the way to enhance their self-image is by learning all they can about their heritage (*AWOMIP Facilitator Guide*). It is incredibly problematic that CSC decontextualizes prisoners’ lack of connection with their Indigenous culture; indeed, this is further evidence of the continued lack of accountability and acknowledgment of the government’s role in the cultural genocide that aimed to erase Indigenous peoples and their diverse identities and languages.

The facilitator guide continues to assert:

Aboriginal teachings emphasize the excellence of Aboriginal beliefs and traditions. The teachings recognize Aboriginal healing practices as essential. To fully understand, it is

important to have the opportunity to be exposed to this way of life. It is worthwhile to seek information about our people from our Elders. [...] Through ceremony, you will be guided back to a more natural and peaceful way of life. (*AWOMIP Facilitator Guide*)

As I pointed out in chapter six with regard to Indigenous women's emotions, here we again see that "healing through cultural identity" is offered as the solution for Indigenous women's criminalization, healing that is filtered through a colonial, Eurocentric lens and which claims that returning to "natural" and "peaceful" ways of life in our modern socio-political landscape is an attainable goal in the first place. Notably, these natural and peaceful ways of life go undefined in the text, but scholars have shown how CSC cultural programs reflect a pan-Indigeneity that originates from a Eurocentric view (Martel & Brassard, 2008; Martel et al., 2011; McGuire & Murdoch, 2021).

Further, beneath this seemingly benevolent attention to Indigenous women's unique circumstances lies a responsabilization discourse, one where Indigenous women must repair their own fractured relationship with their cultural identity to engage in their own rehabilitation. Women learn that it is through participating in cultural teachings and practices and in forming a stronger identity that they may heal from their past so they can improve their future. Viewed through a governmentality lens, we see that technologies of government are invoked in these program sessions that are intended to work *through* prisoners, such that the individual must take responsibility to self-govern to become a better, improved version of herself, a version who wishes to become empowered by improving her self-esteem (Rimke, 2018; Rose, 1999). Indeed, the colonial discourses at the root of these program sessions are part in parcel of neoliberal discourses of responsabilization and individualism.

Also discussed in these sessions is the topic of lateral violence – namely, that women participants are "empowered" to take responsibility to end lateral violence within their own

communities because it “interferes” with their ability to take responsibility for their criminal actions. For example:

Lateral violence interferes with people taking responsibility for their own actions. It therefore prevents people from growing healthy in all four life areas: the physical, emotional, mental, and spiritual. If support of each other on our own healing journeys is to occur, it becomes necessary for each of us to address our role and experiences with lateral violence. (*AWOMIP Facilitator Guide*)

Women are further asked how they can help end lateral violence, and one of the suggested responses is to “increase self-esteem” (*WOMIP Facilitator Guide*).

The problematic nature of the deeply disturbing blame discourse that is at the root of these lessons aside, it is troubling that self-esteem is mobilized as a “cure all” for lateral violence in Indigenous communities, particularly because it is a highly individual solution to a systemic issue that is linked to the ongoing colonial practices that continue to shape the material realities of Indigenous peoples’ experiences and relationship with the Canadian state. While programs do link lateral violence to colonization (“[Lateral violence] is a direct result of colonialism, cultural oppression and living among a dominant culture” [*AWOMIP Facilitator Guide*]), they nevertheless place the burden of change on the women themselves. Indeed, these attempts to Indigenize women’s programming by attending to cultural diversity and Indigenous women’s unique circumstances become futile when women are responsibilized for addressing the impacts of colonialism by simply improving their self-esteem.

It is difficult to imagine that simply adding Indigenous culture to a discussion of improving one’s self-esteem would heal 400 years of colonial trauma, particularly when women are incarcerated within the walls of a colonial, penal institution – arguably not an adequate space to foster healing (Montford & Moore, 2018). Certainly, this “lack of understanding of Indigenous women’s situated position in Canadian society does little to adequately address their needs”

(McGuire & Murdoch, 2021, p. 9). The benevolent intentions to empower Indigenous women to strengthen their identity as a protective factor via “culturally relevant” correctional programs is nevertheless underpinned by contradictory discourses of healing and punishment (Martel & Brassard, 2008; Martel et al., 2011; Montford & Moore, 2018).

### **Caring Prisoners into “Post-Criminality”**

On the surface, CSC’s mandated programming for women appears progressive and benevolent – women’s unique needs, including histories of trauma, are acknowledged, they are empowered to take accountability, and Indigenous women are provided with their own program stream in order to attend to their Indigenous identity and unique cultural context. Indeed, the correctional program matrix itself is labelled as The Continuum/*Circle of Care*. Benevolent discourses appear to make the path to rehabilitation possible vis-à-vis gender responsive programming and an overall “feminist-inspired” ethic of care. This section explores the discourses of care and concern in women’s prisons and examines how mainstream governance feminist discourses contribute to the appearance of caring for “at risk” prisoners.

### **Benevolent punishment & discourses of care and concern**

In this section I examine the ways that a narrative of benevolence is scattered throughout programming material and unpack the implication that women prisoners can be “cared into post-criminality” through their participation in programs while incarcerated. We see discourses of care and concern mobilized when discussing women’s “law breaking” and when addressing topics such as substance use, PTSD, trauma, stress, and care of the body. The problem, however, is that this care is implicitly tied to punishment and control (including control of the self), as it is reproduced within a punitive institution. I mobilize Dawn Moore’s (2011) concept of *therapeutic*

*surveillance* to explore how CSC “helps women help themselves” (Cruikshank, 1999) by way of their participation in correctional intervention and the (A)WOCP Continuum and Circle of Care.

It is claimed that Canadian penitentiaries for women “do incarceration differently” given women’s unique needs and the lived realities and experiences with which they enter the penal system (Dell et al., 2009; Hannah-Moffat, 2005, 2008). For example, the *Women-centred Training Program Facilitator Guide* states:

While the women are held accountable for criminal behaviour, the interventions we use must take into account the social, political and cultural context unique to women in society. Although some basic elements of effective correctional programming may apply to both men and women offenders, there are some elements that differ between the two.

As I have discussed previously, this shift in correctional focus began with the Task Force on Federally Sentenced Women and their report, *Creating Choices*; changes to the federal imprisonment of women followed, such that women’s prisons were intended to be “less intrusive” and “less punitive” than men’s prisons<sup>45</sup> (Hannah-Moffat, 1994). Upon a careful analysis, it is evident that CSC appears to “put women first” by claiming to attend to their overall wellbeing and unique gendered circumstances, and they do so through an ethic of care. Care is an action-oriented discourse, an “entry-point for approaching the reformulation of social relations in a neoliberal era” (Johnson & Lindquist, 2019, p. 196). In other words, women-centred corrections became the dominant way of “doing” penalty in the early 2000s. It was a way to acknowledge gender differences under the guise of care and concern, while still implementing control and punishment in and through individual responsabilization discourses.

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<sup>45</sup> While it was important that changes be made in women’s prisons, it is unclear why men’s prisons are “allowed” to remain intrusive and punitive. I want to acknowledge that men also enter prisons with backgrounds of marginalization and systemic oppression, such as poverty, racism, and intergenerational trauma, and accordingly face barriers that may lead to their criminalization.

We can conceive of this notion of “care” through Foucault’s (2007) concept of pastoral power. Notions of care are rooted in the development of Christian pastoral techniques of government (Dean, 2010). Pastoralism comes from the shepherd-flock relationship, where the shepherd maintains an “in-depth individualizing knowledge of each member of the flock” guiding them toward obedience and salvation (Dean, 2010, p. 92). Pastoral power, then, is always benevolent and watchful, it is “a power of care” (Foucault, 2007, p. 127). It is, as Foucault (2007) describes, “a power with a purpose for those on whom it is exercised, and not a purpose for some kind of superior unit like the city, territory, state or sovereign” (p. 129). Foucault (2007) further asserts that not only is pastoralism implicitly benevolent, but it is also clearly a form of power bound to a surveillance project. We see the existence of pastoral power in and through women’s correctional programming such that women prisoners are deeply watched and become known throughout their interactions with their facilitator throughout the course of their participation in correctional programs. Pastoral power does not act upon individuals in the same way as disciplinary versions of power do on the body, but rather through surveillance that is justified on the basis of care.

Discourses of care circulate in training programs that teach staff members how to approach women-centred corrections. Prison staff learn about what it means to be women-centred and that women prisoners must be rehabilitated differently than men. Further, they learn that correctional programming for women is a “means to improve responsiveness, respect, and dignity” (*Women-centred Training Program Facilitator Guide*) and is founded on four key principles: “Women-centred programs, diversity, supportive environment, and holistic programs” (*Women-centred Training Program Facilitator Guide*). Some of the other core characteristics of women-centred corrections that demonstrate a discourse of care and concern

are that staff must “demonstrate respect for spiritual needs as well as cultural identity and practices, recognize that differences are an asset, accept and try to understand differences, and look at the interests of both parties and find the commonalities” (*Women-centred Training Program Facilitator Guide*). While many of these characteristics should be implicit in working with other human beings regardless of the context, they indicate the implementation of an ethic of care that is specific to women’s corrections. I would argue, however, that despite CSC’s benevolent intentions, a discourse of care operates superficially under the guise of gender responsiveness and empowerment within a punitive institution.

The *Women-centred Training Program Facilitator Guide* states, “Our programs consider diversity because women offenders are not a homogenous group and all who intervene with them must foster an atmosphere of acceptance and understanding.” In other words, women-centred prison programs are discursively constituted as caring for the women who (are required to) participate in them. Again, fostering a sense of acceptance and understanding in the required programs for women is well-intended, yet, as Moore and Hannah-Moffat (2005) state, “appearances can be deceiving” (p. 97). The authors further suggest that “the liberalism of Canadian punishment is a veil underneath which remains an extremely punitive system. It is dangerous to fall into the juxtaposition of punitiveness and therapeutic initiatives” (p. 97). Benevolence is subsumed within punishment and control logics that are inherent in the Canadian carceral context. Prisoners may receive “caring” programming, but ultimately do so in a punitive environment that requires them to engage in self-governance strategies to rehabilitate themselves.

While the concept of pastoral power provides a point of entry for identifying discourses of care in women’s correctional programming material, its focus on a sole individual as the

“shepherd leading a flock” necessitates further theorization. Indeed, the relationship between a program facilitator and participants is not about a “single” shepherd guiding a flock to salvation but a variety of “shepherds” – other prison staff, program facilitators, and psy experts – who watch over prisoners. For this reason, I engage with the concept of therapeutic surveillance to identify “a more complicated assemblage of watchers than the one-on-one arrangement Foucault described” (Moore, 2011, p. 258). Notably, Moore (2011) conceptualizes therapeutic surveillance in relation to her research in a drug treatment court, yet the premise of these types of courts parallels neatly with women-centred, gender responsive corrections such that they both allege to “do justice differently.”

Therapeutic surveillance involves “benevolent iterations of power that could be experienced as supportive or repressive or both while not relying on a firm hierarchy of surveillance or the centrality of a single saviour,” as in Foucauldian pastoral power (Moore, 2011, p. 258). We see therapeutic surveillance in correctional programming when CSC mobilizes discourses of care in and through correctional programs that claim to engage in feminist notions of empowerment and where facilitators are trained to deliver programs in an ethic of care grounded in “women-centredness.” When we peel back the “liberal veil” (Moore & Hannah-Moffat, 2005) of these “caring programs,” however, we see a level of surveillance (and even punishment) that is tied to a particular kind of benevolence.

One salient example of therapeutic surveillance is the amplified watching of program participants through not only in-person group and one-on-one sessions with the facilitator, but also the journals and emotion management logs prisoners are required to keep in order to “successfully” complete the program. This creates the conditions for an increased level of surveillance that is permitted under the guise of benevolence, one that suggests programs provide

the path to rehabilitation for prisoners who engage in these self- and emotion-management strategies. Women are required to record their emotions and to journal about their everyday thoughts, actions, and behaviours. While journaling and emotion management logs are presented as a therapeutic strategy for self-discovery, such increased, careful watching of individuals may also result in punitive action, as anything a woman records or discloses for the sake of programming may be noted in her institutional file. Accordingly, should a prisoner write about conflicts with other prisoners or her housemates, for example, it may result in an institutional charge. As one participant told me, “If you say anything in [your] journal about ‘Oh I got in an argument with this person in my house or this happened’ ... you had to be very careful” (Dana). In other words, women may not fully engage in the therapeutic strategy of journaling lest they be caught breaking rules or disagreeing with CSC discourse.

Prisoners and staff alike are encouraged to form trusting relationships in correctional programming sessions, yet prisoners’ interactions with program staff or their written thoughts in journals may create the conditions for further punishment once they are recorded in her institutional file. These files are available for any CSC employee to view, which of course only casts the net of surveillance wider. Moore (2011) asserts, “The more contact, the more surveillance, the more chances [an individual] will be observed making mistakes and thus the more opportunities for punishment as part of his treatment” (p. 263). While a caring staff member is certainly welcome by prisoners in the austere and isolating conditions of the penitentiary, these actors can also simultaneously increase “the amount of coercion and control they experience” (Moore, 2011, p. 264).

Discourses of care are also evident in WOCP Continuum and Circle of Care material in relation to mental health and are mobilized in and through psy knowledges. As I have discussed

previously, women's programming is grounded in technologies of government, specifically via cognitive behavioural and dialectical behaviour therapy models. Psy knowledges are deployed in ways that are most often individualizing and which negate women's collective and individual experiences of marginalization (Chartrand & Kilty, 2018; Kilty, 2012a; Moore & Hannah-Moffat, 2005; Pollack & Kendall, 2006). Sessions of both the medium and high intensity programs for women focus specifically on trauma, teaching women what trauma is and how to "recognize the links between trauma and problematic behaviour" (*WOMIP Facilitator Guide*). In this session, participants also "look at recovery from trauma and how they can take care of themselves if they are feeling overwhelmed because of trauma symptoms" (*WOMIP Facilitator Guide*). Additionally, prisoners engage with topics like substance use, psychiatric disorders such as post-traumatic stress disorder, self-harm, and other general mental health topics.

While it is, without question, beneficial (and arguably of absolute necessity) to focus on mental health topics such as these, it is problematic to expect a woman to acknowledge past experiences of trauma, victimization, violence, and even current experiences of PTSD, self-harm, and substance use within the walls of an institution that has stripped her of her freedom, where she has no privacy or nearby support from family and friends, and does not have the option to call a crisis line or see a therapist of her choosing (Kilty, 2012a; Moore & Hannah-Moffat, 2005). While programming appears benevolent in that it allows women to work through past and present experiences of mental distress (and the potential roots of them) in order to work on reducing their risks and needs, it does not change the structural context of their lives on the outside (Kilty, 2012a; Moore & Hannah-Moffat, 2005; Pollack & Kendall, 2005; Rimke, 2018).

While CSC mobilizes discourses of care in and through programs to address mental health concerns, the burden nevertheless lies within the individual prisoner to ultimately *choose*

to engage in self-governance strategies that will allow her to achieve a rehabilitative state and “heal” these mental health concerns. The solutions to these concerns are grounded in individualism, responsibility, and choice. Given that women’s programming is guided by a report entitled *Creating Choices*, this is, perhaps, unsurprising (Moore & Hannah-Moffat, 2005). Such an imperative is implicitly rooted in neoliberal and psy discourses, and when combined with responsabilization tactics, requires prisoners to act upon themselves to reduce their risks and needs – or the “risky” effects of their trauma, substance use, and histories of victimization or violence.

This is how we see CSC “helping” prisoners help themselves (Cruikshank, 1999). Discourses of care are mobilized by “helping” prisoners from a distance rather than addressing the structural roots of their mental distress and their criminalization (Rose, 1996). This is, ultimately, a form of control, where the control may not be overt, harsh, or physically punitive, yet is designed to instill responsibility within the individual, and this, Moore and Hannah-Moffat (2005) argue, is punitive. What appears to be caring, or “that the bodies of prisoners are treated, relatively speaking, reasonably well” also leaves us with a question of “how humane it is to focus on the minds and behaviours of prisoners when they are held in such a coercive setting” (Moore & Hannah-Moffat, 2005, p. 97). While the prison claims to implement programs that “care,” prisoners must ultimately “correct” themselves by making rational choices that can enhance their overall wellbeing and their ability to rehabilitate themselves (Rose, 1996).

### **Risky & at risk: Mainstream feminist discourses of care & concern**

I conclude this section by briefly exploring the mainstream governance feminism discourses of care and concern and how they structure how women prisoners are constituted in and through correctional programming and staff training documents. “Truths” about women are

controlled and defined by power/knowledge, where mainstream feminist knowledges (re)produce gendered scripts, myths, and tropes (as I outlined in chapter six) that form the foundation of women's programming. Indeed, it is through power/knowledge that we see how regulatory, gendered discourses are circulated throughout CSC policy, practice, and programs. Mainstream governance feminists "claim narrative authority to position themselves as experts, advocate for, and work alongside legislators to develop policy responses" by advocating for solutions to gender inequality that "fit neatly into state discourses and established institutions" (Law et al., 2020, p. 192). It is this narrative authority of well-intended feminists that informed the *Creating Choices* report that changed the entire structure of women's corrections, including programming. While *Creating Choices* has been critiqued by critical feminist scholars, it continues to cast a long shadow on CSC's women-centred approach.

Mainstream feminist discourses of care and concern are also deployed as a form of benevolence for women prisoners who are often framed as victims in need of healing. For example, informed by a model of gender responsivity, staff are taught the pathways theory of crime. According to the *Women-centred Training Program Facilitator Guide*, there are five main pathways to crime unique to women prisoners: "(1) Street women, (2) drug-connected women, (3) harmed/harming women, (4) battered women, (5) other women/economically motivated women." The guide goes on to describe each:

- ⇒ **Street Women:** women who fled abusive homes, became addicts, and used criminal means (e.g., prostitution, drug dealing, and theft) to survive on the streets (Miller, 1986; Owen, 1998).
- ⇒ **Drug-connected Women:** women involved in using, manufacturing, and/or distributing drugs in the context of an intimate partner relationship or family-based arrangement.
- ⇒ **Harmed/Harming Women:** as children these women were subjected to turbulent, chaotic living conditions that included abuse and/or neglect. They were considered "difficult children."

- ⇒ **Battered Women:** differ from harming women such that their abuse history is often confined to relationships with violent intimate partners. Although intimate partner violence is fairly common for female offenders, these women “would not have appeared before the court had they not been in relationships with violent men” (Daly, 1992, p. 30).
- ⇒ **Other Women:** women who commit crime out of greed or to cope with poverty. Some describe these women as economically motivated (see, e.g., Marash & Schram, 2002, p. 37), and they differ from those following other pathways.

Here we see that women’s criminalization is not only “situated as the result of bad choices” (Chartrand & Kilty, 2018, p. 116), but that women are also framed as victims who are both risky – they have committed a crime – and at risk – they have been abused, harmed, and are in a “life of prostitution” and poverty. Pollack (2000) asserts that thinking of women as *either* a victim *or* an agent is a problematic way to understand women’s experiences of victimization while also conceptualizing their agency. In line with the trope of the “victimized woman” generated by mainstream feminism, women prisoners are framed as victims in need of healing and empowerment, which gender-specific programs and correctional approaches seek to address (Law et al., 2020). It is implied that gender responsive programming “cares women into post-criminality” by addressing their riskiness and the ways that they are considered “at-risk victims.”

This discourse is further entrenched in staff directives for working with women prisoners: “Program staff must be sensitive to women’s issues; take the time to listen without judgement; role-model appropriate, law-abiding, responsible behaviour; and apply the *Creating Choices* principles in all aspects of the workday” (*Women-centred Training Program Facilitator Guide*).

The need for staff to be caring, sensitive, and respectful in programming sessions should go without saying and should be a policy directive for all prisons regardless of gender. Viewed through a critical lens, however, we see the individualizing nature of women’s perceived criminality – that “women in prison are considered to suffer from some form of cognitive or mental pathology” and therefore “proper” behaviour must be modeled by staff (Chartrand &

Kilty, 2018, p. 115). This ethic of care deployed for women prisoners appears benevolent on the surface, but by peeling back the layers we see how mainstream governance feminism and psy discourses inform these training policies.

### **The Unempowerable Prisoner**

Throughout this chapter, I have identified the discursive strategies employed in women's programming that responsabilize prisoners to choose to engage in their own rehabilitation by empowering themselves. I have also explored the discourses of care and concern, on which women-centred corrections pivot, and discussed how mainstream feminist discourses of care narrowly frame women simultaneously as at-risk victims and as risky. What the program facilitator guides, staff training documents, and administrative guidelines do not outline is what happens when a prisoner is considered "unempowerable" – when their resistance is read as defiance or their mental distress read as misbehaving – or *who* is read as unempowerable, resistant to change and impervious to rehabilitation. While it is unsurprising that an explicit acknowledgment of how staff engage with "risky" or "unempowerable" prisoners is absent within the program facilitator guides, staff training documents, or program policies, this silence speaks volumes.

It is prisoners' lived experiences that illustrate the clearest picture of how "risky" women are both read and treated in the carceral context. Indeed, the women-centred discourses of care at the root of CSC policy become, in practice, subverted beneath discourses of punishment and control. What happens, then, when a woman makes the "wrong" choice, when she chooses not to engage in responsabilization tactics or when she does not become a self-improving neoliberal subject who *wants to* or *can be* rehabilitated in the prison? What happens when women engage in resistance strategies, and how can we understand this through a feminist, governmentality lens?

The final section of this chapter explores these questions by engaging primarily with interview data that speaks to women's lived experiences.

### **Conceptualizing the unempowerable, risky, and unruly woman**

In chapter three, I discussed how women who experience mental distress are constituted through discourses that are rendered visible by the knowledges of those in positions of power (e.g., correctional administrators, psy experts, guards, and program staff); indeed, this is how “Truths” about women prisoners come to be known. Women who do not behave in ways that accord with gendered tropes – that they are inherently passive, docile, and caring – tend to experience a different set of discourses, ones that emphasize discipline, punishment, control, and psy coercion. We can unpack the ways in which “unempowerable” women are discursively constituted by viewing these discourses in relation to power/knowledge.

Feminist criminologists highlight the “kind” of women prisoners who experience a heightened level of punitiveness, surveillance, and control. Those who do not conform to traditional gendered scripts, who are assessed by psy experts as mentally ill and/or high risk and need, who experience distress of any kind, who challenge authority and resist CSC discourse, and who are Black, Indigenous or a person of colour, are more likely to experience greater levels of punishment and coercion (Chartrand, 2015; Dell et al., 2009; Hannah-Moffat & Klassen, 2010; Kilty, 2012a, 2014a; Pollack & Kendall, 2005). These women are more likely to be segregated, spend longer periods of time in segregation, experience increased levels of force and restraint, to be placed in maximum security, to be given involuntary psychotropic medications, and denied parole (Chartrand, 2015; Hannah-Moffat, 2000, 2010, 2012, 2015; Hannah-Moffat & Klassen, 2015; Kilty, 2012a, 2014a; LeBlanc et al., 2015). Women who resist well-intentioned,

empowering correctional interventions are demonized, pathologized, and medicalized (Hannah-Moffat, 2001). According to Chartrand (2015), unempowerable women are those who:

... fail or are unable to act according to the norms expressed around their own gendered subordination, are promoted within discourses of social obligation or non-compliance and enlisted into localities and spaces of control, exclusion, and violence. In other words, women who exhibit deficiencies, instabilities, vulnerabilities, and criminal histories – exactly those women who have been identified as the ones who are sent to prison – are subject to a hidden violence to instil conformity. (p. 11)

Indeed, gendered, regulatory discourses of punishment are reserved for these prisoners, despite the appearance of an ethic of care in women's corrections. Discursive representations of these women prisoners as "high-risk," "difficult to manage," and "disruptive" are used to justify the punishments to which they are subject (e.g., prolonged segregation) (Hannah-Moffat, 2001).

Some of the women I interviewed experienced varying levels of punishment and coercion for their "challenging" behaviour, which they linked to their race or because they were critical of the gendered, neoliberal discourses at the root of the CSC programming in which they were mandated to participate. They were labelled disruptive and risky. For example, I interviewed Alicia, a Black woman who was part of a prisoner group called Black Women on Diversity (colloquially referred to as B-WOD), where they were able to express cultural expressions of Blackness together through music and dance, having group movie nights, as well as by talking about racial issues they confronted in prison, particularly discrimination from guards. Alicia recounted one incident where the group experienced heightened levels of surveillance during a gathering:

They didn't like that group! Whhoouuu we were not liked! They did not like it if there was too many of us together... The first night I got there one of the women was like 'Be careful, if there's more than three Black people together they think you're a gang and they're going to give you shit!' [...] I remember, we were supposed to go meet in the room upstairs but it was locked so we met up in the gym. And every five minutes a guard would come [check in on us]. And at one point even the correctional manager, after the

guards came a couple times, the correctional manager came to check on us and just stared at us. It's like...we're talking about food and what movie we're gonna watch.

While this group was not disciplined overtly, prison guards and staff watched the group carefully. Viewed through a feminist, intersectional lens, the implicit bias against these prisoners is quite clear; it is arguable that the group was read as a potential threat to institutional security, where their potential risk justified the increased surveillance (Hannah-Moffat, 2001). While it is perhaps not possible to conclude definitively that the race of these women was the driving force behind CSC staff's behaviour, research suggests that Black women in general are more likely to be faced with increased surveillance, are more likely to be read as defiant or angry, and experience elevated levels of punishment while incarcerated (Maynard, 2017; Reece, 2020). Moreover, the Office of the Correctional Investigator reported that 37% of the discrimination complaints between 2008 and 2018 were made by Black prisoners, despite representing only 8% of the total prison population (Zinger, 2019).

Another example of a prisoner who was constituted as "risky" or "unempowerable" was Riley. She had a self-proclaimed "nothing to lose" mentality and told me about how she fought guards, claimed to not trust anyone, acted out, challenged authority, was physically violent, called out other prisoners, and was rude to program facilitators. "I was angry. I was young. And [shrugs]...I was young. There's nothing else you can do to me I might as well like amuse myself. That was my attitude. Like 'haha what are you gonna do, put me in jail?!'" Riley struggled with mental distress and had done so for most of her life. Her distress often manifested as defiance, was read as unruliness, and similar to the Ashley Smith (see Kilty, 2014a) case, she was often punished through segregation, institutional charges, and by having privileges taken away. She was never given added supports to help her cope with her anger.

To fully conceptualize the unempowerable prisoner it is essential to look at her opposite. Indeed, Bruckert and Law (2018) assert that “framing something as normal not only renders it an unquestioned truth but also defines its opposite—the deviant, the abnormal, that which requires intervention” (p. 66). While the above prisoners would be considered unempowerable and risky by CSC standards, I also interviewed women who were decidedly compliant, which they did in an attempt to make their sentence pass by as quickly as possible with as few setbacks as possible. Accordingly, the empowerable prisoner is one who is compliant, moves easily through and engages in her required programs, and does not get in the way of others or of staff – she “successfully” self-governs and achieves rehabilitation by following the rules. In other words, she makes “good choices.” Such compliance does not necessarily imply that a prisoner agrees with everything she is required by CSC to do; she may fear conflict, strive to return to her children or family as soon as possible, or just generally wants to leave prison and be part of her community again.

For example, Lisa said, “I never had a problem [with guards]! But see I never caused any problems.” Lisa had a job waiting for her on the outside and desperately wanted to see her children again, so she put her head down and did what she needed to do in order to attain those goals. Another participant told me that she “didn’t really have any problems with anybody.” She went on to say, “I did what I was told. I never caused any problems. I never had to be written up and never got any institutional charges, nothing” (Megan). Megan was incarcerated for charges relating to a sex offence and therefore wanted to maintain her personal safety by not making herself stand out or “get in anyone’s way.” Like other prisoners who may be considered “unempowerable,” these two women experienced various forms of mental distress (e.g., depression, PTSD, and anxiety) and both had many negative feelings toward CSC; however,

their motivation to leave the institution as quickly as possible resulted in their compliance. Indeed, these women would be discursively constituted as “empowerable” prisoners.

### **Discourses of control: Punishing the unempowerable prisoner**

As I demonstrated in the previous section, discourses of care are (re)produced inside a system and structure that is inherently designed to punish individuals for the “harms” they have caused. Providing staff with training to engage respectfully with women prisoners and offering correctional programming that attempts to target women’s unique needs are not inherently bad ideas – indeed it is incomprehensible that the prison would do nothing to engage women in some type of programming – but it is the way in which these interventions are executed that is often of concern. It is problematic that punishment is linked so closely with rehabilitation, which is contingent upon a woman’s ability to engage in self-governance and to make the “right” choices. While punishment is generally thought of as harsh and cruel actions inflicted upon the body and mind, there are also more subtle ways that punishment is deployed in women’s prisons (Moore & Hannah-Moffat, 2005).

For instance, there is a punitive aspect to requiring women to re-take programs several times until they engage with the material in a “responsible” and “accountable” way, or to re-take a program after a period of segregation as a reminder of how they “should” be behaving. One participant spoke to this during our interview:

[Programs] are a punishment. They use them as a punishment. ‘Cause like when you get in trouble...that’s why I took SMP so many times. Because like when you’re on drug strategy and get institutional charges, you have to re-take certain programs. So like they use it as a punishment. (Riley)

Riley told me that she was “in non-stop trouble” for the first few years of her sentence in a federal penitentiary and was often sent to segregation for defying guards and other staff and, subsequently, was required to take programs multiple times. Another participant also described

having to take the Self-Management Program (SMP) three different times, once after a period of segregation when she was sent there for “challenging authority:”

I had to do SMP three different times, twice in the institution and once when I got out – and that happens to lots of people. Like they needed to reprogram you or something?! [laughing] I’m defiant so they thought that if they just keep giving me the same stupid program then I dunno. Yeah, and it’s often a punishment, like...so when I got out of segregation, they put me in SMP again. (Dana)

Here we see that under the guise of care, women’s behaviour is controlled through excessive programming, or, as this participant so tellingly described, “reprogramming.” As discussed in chapter two, segregation is a strategy for maintaining prison security, which often leads to women with mental health concerns being given “isolation time” to reduce their distress (Hannah-Moffat & Klassen, 2015; Kilty, 2014a; LeBlanc et al., 2015). This is precisely how power is mobilized in and through psy discourses – to maintain institutional security and to “keep women safe,” segregation is used as a tool to manage distress, self-injury, and behavioural defiance (Hannah-Moffat, 2001; Zinger, 2017). This is particularly the case for Indigenous women, who are disproportionately admitted to segregation (Zinger, 2018). Instead, women should be offered support through the peer support program and through private counselling sessions.

Requiring women to re-take a particular program after being released from segregation is also a disciplinary way of encouraging their “return” to the path of rehabilitation. It is also again where we see McCorkel’s (2013) concept of habilitation, where the intent would be not to “restore” a prisoner to their former self but rather to manage the self that is “incomplete and disordered” (p. 17). While women’s programs are touted as caring, gender responsive, and inclusive as they attend to women’s “unique needs,” it is in these actions that discourses of coercion and control are exemplified. Further, it is how we see that not all women are deemed to

be “empowerable.” CSC has an undeniable history of treating high risk/need or “unruly” women without the same level of “care” as others, as we saw so clearly in the Ashley Smith case (Hannah-Moffat & Klassen, 2015; Kilty, 2014a; LeBlanc et al., 2015). The problematic treatment of mentally distressed and high risk/need prisoners has been an issue long studied by feminist criminologists, who assert that risky women are more likely to experience increased levels of force, involuntary transfers, strip and body cavity searches, and longer periods of time in segregation (Hannah-Moffat, 2000, 2010, 2012, 2015; Hannah-Moffat & Klassen, 2015; Kilty, 2014a; LeBlanc et al., 2015). What has been less acknowledged, are the subtler methods of punishment that prisoners experience, a punitiveness that is not necessarily physical in nature (Moore & Hannah-Moffat, 2005).

A critical analysis of the interview data revealed further mechanisms through which CSC deploys less overt forms of coercion and punishment. For example, women who are considered “defiant” and who tend to challenge correctional authority have privileges taken away. One participant told me about not being able to have a family member visit her:

They get you where it hurts. Like oh your family’s coming to see you? Absolutely not. Like they used to cancel my visits as my mom was pulling into the parking lot there. And they called and cancelled ‘oh sorry we’re booked’ ... and like you book them a week in advance. (Riley)

This participant experienced serious mental distress; she was diagnosed with a variety of mental disorders by psy experts both throughout her sentence and prior to her charges. She told me about getting into fights with guards, punching doors and breaking her hand multiple times, and regularly arguing with other prisoners and program staff. During instances where she was experiencing an acute episode of mental distress, like Ashley Smith, Riley was sent to segregation or the maximum-security unit, left in isolation because of her “challenging” behaviours. While many of her actions would have been extremely difficult for prison guards to

manage and engage with, she was never given the support she required; she was unempowerable, her “unique needs” secondary to the objective of “protecting others from a dangerous criminal” (Hannah-Moffat, 2001, p. 177).

Another participant who was constituted as “defiant” was also subject to forms of control and punishment from prison guards. Here she recounts having personal items damaged or taken away because she would often challenge guards and program staff:

I had two different stereotypes that guards purposely broke on me. And I filled out grievances, claims against the Crown, all this stuff, but it kept getting stopped at the warden because she wouldn't believe me. 'Oh there's no proof that this guard did that'. And even if I had other prisoners as witnesses that didn't matter because the guards they all stick together. And like they would steal my CDs or break them, seize them, whatever. (Dana)

Even when she reported the behaviour that she perceived to be unfair, she was silenced. Indeed, this is how the prison disappears less overt forms of punishment, or, as Chartrand (2015) argues, is how they “disappear” violence. Indeed, using the grievance system to file complaints tends to have little impact for the prisoners (Chartrand, 2015; Kilty, 2014a). Chartrand (2015) further asserts that utilizing a recourse mechanism is not only futile, but it may also be risky for women given the potential reprisals or retaliation from staff for doing so. Dana also told me about having her full-time job, elective community programs, and school programs taken away when she acquired institutional charges or argued with the program facilitators:

I had a job that was technically full time with food services in the institution. And I liked that job, I was good at it, and I got along with everyone there, but they often use your work or education as a punishment. So, they see it as just a privilege not as something you're entitled to. So, when I had a bunch of institutional charges, they would take my job away or they'd take my ability to attend school away. So that was about half of the time. (Dana)

The removal of elective programs, jobs, schooling, and visitations is not a direct form of punishment to the body. It is, however, a punitive and harmful form of control for women who rely on these things for their overall wellbeing and mental health.

It is also here that we see contradictory discourses. CSC claims that “healthy and supportive relationships improve [prisoners’] chances of success in making changes” (*Women-centred Training Program Facilitator Guide*) and that women’s primary motivation is connecting with others. As I discussed in chapter six, programs for women assert that rehabilitation is contingent upon improving relationships; therefore, removing family visitations, especially a visit with a parent that was requested by a young prisoner, is contradictory to the noted importance of relationships that is said to structure women-centred corrections.

Further, removing elective programs, such as community-led music and education programs for prisoners is undoubtedly harmful for their mental health and certainly may worsen their feelings of isolation and distress, the manifestation of which being what led to the removal of these activities and “privileges” in the first place. Again, it is here that we see the contradictory nature of correctional discourses; for example, in a session about stress, the *Women’s Engagement Program Facilitator Guide* states that “individuals who experience a lot of stress tend to be angrier” and that “self-care is a way to manage stress.” Taking away the items or programs that may allow an individual to decompress and engage in self-care or emotion management strategies is not only punitive, but it is also detrimental to the women’s mental wellbeing according to CSC’s own logic, yet this is how CSC claims to reduce risk and manage institutional security. Finally, it is also worth noting that education and employment are considered “protective factors” that ultimately reduce prisoners’ risk and increase their “likelihood” of their rehabilitation. CSC directly contradicts their own policy and programming

by punishing and controlling “unruly” women by not allowing them to participate in community-led programs. This is further evidence that CSC disappears violence “within a security logic that legitimates its necessity” (Chartrand, 2015, p. 13).

### **Conclusion: Women who resist**

Discourses of empowerment, care, and control circulate through power/knowledge. It is in and through these discourses that CSC constitutes women prisoners and the rehabilitative ideals that they must engage with in order to reduce their risk of recriminalization. The goal is to help prisoners help themselves by governing at a distance through correctional programming imperatives of improving self-esteem, becoming empowered, and deploying individual self-governing strategies. In turn, the prison produces gendered, neoliberal subjects who have absorbed programming discourse and logics and may continue to draw from their “coping skills toolbox” throughout their incarceration and upon their release.

While I have explored and conceptualized the “kind” of prisoner subject considered to be unempowerable, it is also important to recognize the resistance expressed by prisoners who are caged in federal penitentiaries, including those who may not engage in overtly defiant behaviour but who nevertheless deploy resistance strategies to contest the conditions in which they are imprisoned and continue to do so even once they are released. It is in resistance that we see how power is not absolute, but is relational (Foucault, 1982). Prisoners, accordingly, may engage in resistance to reject the ideals and values that sustain power relations (Faith, 1993). Indeed, power relations could not exist without “points of insubordination” – which is when we see the limits of power (Foucault, 1982, p. 794).

Some women resist by acting out in defiance against their conditions of confinement and treatment by guards, and by challenging correctional program discourse. They may refuse to

engage in neoliberal self-management to “fix” themselves, knowing life on the outside has not changed. Other women opt to serve out their full sentence to resist the seemingly ambiguous rules that govern them: “So I just decided I’m not going to try for parole, I’m not going to follow your stupid rules. I have a statutory release date which means they have to let me out, so I’m just going to do whatever” (Dana). This participant also challenged many of the problematic teachings in correctional programming. Others resist by mobilizing their own ethic of care in solidarity with other women:

And my one friend, she was very suicidal but whenever she needed me she always came and got me. Always! Because I was peer support. We used to joke around a lot...and I told her like they want me to go up the hill to the minimum! I said where are you gonna go what are you gonna do? She said, well, I’m gonna keep workin’ I’m gonna keep doing my thing. And I was like, “what are you gonna do when you get in a rut?” She’s like, “oh I’ll just remember what you tell me.” I said ok...but you know you can always call me through the fence and I’ll always fucking come down to talk to you even if I pick up a charge, I don’t care. Your life is better than me pickin’ up a simple charge, like boooohoo. Like here’s 10 dollars for your charge. You know what I mean? (Kerri)

Furthermore, some racialized women like Alicia continued to gather with other Black prisoners knowing they would face increased surveillance and discrimination. Other women, like Lisa and Megan, who I described in the previous section, did not resist while incarcerated, as they felt it was easier to put their head down and get through their sentence as quickly as possible; once released, however, they felt freer to speak out about their time inside and to critique how CSC deploys programming for women prisoners. Overall, we see that women resist their confinement by deploying tactics and strategies and asserting their agency in multiple and varied ways that involve both action and inaction (Munn & Bruckert, 2010).

The next chapter concludes the dissertation, where I summarize the key arguments and points made throughout, offer several research and theoretical contributions, and reflect on some of the social and policy implications of the research. In this chapter I expand the lens through

which I have critiqued women's programming and the discursive construction of gender, mental health, and rehabilitation. I reflect on the role of the prison as an institution that exists within a larger, structural state apparatus. Further, I attempt to push the figurative envelope by putting forth abolitionist-focused reforms that emphasize caring communities and mutual aid.

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## CHAPTER 8 – Conclusion: Expanding the lens beyond carceral rehabilitation

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### Introduction

I began this project with a rather broad interest in mental health for women prisoners in federal penitentiaries. At the beginning, I was interested in the ways that women prisoners experience mental health programming during their sentence(s). I soon discovered that for most federally sentenced women, designated mental health programming does not exist. Some women (notably, only those who are designated as minimum or medium security and who are not assessed as high risk/need) may elect or be recommended to live in the Secure Living Environment and to participate in intensive Dialectical Behaviour Therapy (DBT) programming, the only dedicated mental health programming for federally sentenced women. DBT is not offered to all women, which means that for most, the only way that they receive mental health intervention outside of prescription medication is in the form of correctional programming. It is unclear why CSC is so adamant that they do not provide mental health programming. What is clear, however, is that a refusal to do so arguably demonstrates a failure to implement the “shared responsibility” principle from *Creating Choices* that they purportedly have engaged following the Task Force for Federally Sentenced Women’s (1990) recommendations.

While I did not set out to examine CSC correctional programming at the beginning of my research journey, I soon discovered that therapeutic concepts and discourses are the very foundation of correctional programs for federally sentenced women. The psy underpinnings of these programs target women’s minds and overall mental wellbeing. Indeed, the Women Offender Correctional Programming (WOCP) Continuum and Circle of Care are based on cognitive behavioural therapy and dialectical behaviour therapy models, layered with principles

of gender responsiveness and women-centredness. As I dove deeper into the data (namely, the programming documents, policy guidelines, training manuals, and participant workbooks that I acquired through an access to information request), I began to see the ways in which interpretations and expectations of gender and mental health were woven into these texts and structured by neoliberal risk logic. I saw that while most women were not explicitly receiving “mental health programming” (as per CSC directives), their mental state was still a primary target of rehabilitational change; in other words, programming centres around “correcting” women prisoners’ faulty cognitions and thinking patterns that are presumed to be at the root of their “problematic behaviours.”

This chapter provides a brief review of the research goals and arguments made throughout this dissertation and discusses the various contributions this research makes. Further, I reflect on the social and policy implications of this research and push the figurative envelope by expanding the lens through which I have critiqued women’s programming and the discursive constitution of gender, mental health, and rehabilitation. I also look toward the abolitionist horizon by advocating for “non-reformist reforms” (Mathiesen, 1974) in prisons for women that emphasize mutual aid and caring communities. The chapter concludes with a final reflection and brief discussion of potential future research projects.

### **Overview of Dissertation**

In this project I endeavoured to explore correctional programming for federally sentenced women, how their mental health needs and risks are constituted and assessed in relation to this programming, and how women experience these correctional interventions. I mobilized the term “correctional” throughout this dissertation not uncritically, but rather for clarity and to denote that this is the key intention of the Correctional Service of Canada’s programming efforts – to

“correct” prisoners in order to facilitate rehabilitation and reduce their risk. I asked how mental health intervention is woven into the WOCP Circle and Continuum of Care, how women who experience mental distress are discursively constituted in programming content, and how gendered subjects are (re)produced within a neoliberal regime of governance and through the dialectic relationship of power/knowledge. By examining thousands of pages of textual data that I acquired through an ATIP request and by supplementing this data with eight interviews conducted with formerly incarcerated women, I developed a robust and substantive analysis that revealed the problematic circulation of gendered, psy, and neoliberal discourses that underpin correctional programming and ultimately form the basis of how women are rehabilitated. I further attempted to untangle and demonstrate the “messiness” of qualitative research and to reflect on the ethical complexities that accompany the processes of listening to and re-telling participant stories and of the information blockades that are encountered when seeking information from a government agency.

I deployed a theoretical framework comprised of governmentality and Foucauldian understandings of power combined with a feminist theoretical perspective. The combination of these two lenses positioned me to mobilize critical theoretical constructs such as power/knowledge and discourse (Foucault, 1978), technologies of the self (Foucault, 1988), governing through freedom (Rose, 1996), empowerment (Cruikshank, 1999), and neoliberalism as a political rationality (Dean, 2010; Rose, 1996, 1999, 2000), and to acknowledge the various gendered myths, scripts and tropes that are informed or shaped by the mobilization and operation of these critical concepts. It was important when examining power and power relations that I acknowledge the reality of women’s intersecting identities and consider how interlocking

systems of oppression alter how incarceration (and therefore correctional programming) is experienced.

The three substantive analysis chapters advance several key arguments. In chapter five, I outlined the correctional programming procedures for federally sentenced women and mapped the process from intake to release as it relates to the WOCP Continuum and Circle Care. The intent was to provide an overview of the programming processes and set the stage for a more detailed discussion of the discursive themes that are presented in chapters six and seven. While chapter five provides a comprehensive map of CSC programming for women, it also sets up my critique of the programming matrix and allowed me to introduce some of the key issues that were uncovered analytically in relation to gender responsiveness and neoliberal risk management.

In chapter six I described the gendered ways in which CSC discursively constitutes women as mentally distressed and as primarily motivated by their relationships and emotions, and how correctional authorities manage women and their mental and emotional distress. I argued that underlying gendered tropes and the neoliberal logic and psy knowledges that inform correctional programming for federally incarcerated women operate to constitute them as both risky and at risk via discourses and practices that situate them as emotionally out of control. I argued that these regulatory discourses implicitly seek to control women not by exerting power *over* them, but rather by exerting power *through* them.

In chapter seven I relied heavily on concepts from the governmentality literature and unpacked the gender responsive strategies that are deployed through the correctional programming matrix that is said to rehabilitate women. I argued that in practice, the notion of benevolence as a gendered correctional logic is operationalized and reconstructed through neoliberal and traditional punishment logics. The result is that the discourses that are

(re)produced in the Continuum and Circle of Care programs – programming that is supposedly intended to care for, empower, and rehabilitate women – exhibit forms of both covert and overt control, coercion, and punitiveness. Through discourses of empowerment, self-esteem, and an ethic of care, women prisoners learn that they must *choose* to rehabilitate themselves, which absolves the prison of the responsibility to engage in the “shared responsibility” principle to care and support women’s rehabilitational efforts that are grounded in alternative feminist or mutual aid logics.

### **Research Contributions**

Alongside the many Canadian feminist scholars who have come before me and who have studied criminalized and imprisoned women and their carceral experiences relating to mental health, risk, and correctional intervention (see, for example, Chartrand, 2015; Balfour, 2014; Comack, 2014; Hannah-Moffat, 2001, 2004a, 2007, 2008, 2010; Kendall, 2000, 2002; Kilty, 2006, 2012a, 2014a; Maidment, 2006; Martel, 2001, 2004; Pollack, 2004, 2009, 2010, 2012; Pollack & Kendall, 2005), the goal of this research was to explore how women are regulated, pathologized, and punished in a penal setting by attending to how power/knowledge is discursively mobilized in ways that are structured by neoliberal and risk management logics. This research offers new critical insight into the content of women’s correctional programming and how gender, risk, and mental distress are discursively constituted in and through CSC’s Women Offender Correctional Programming. The dissertation makes a tangible contribution to scholarship by mapping the correctional programming matrix and process; indeed, I have provided a comprehensive overview of how prisoners’ assessed risk level dictates the programs they must participate in as per a designated “correctional plan,” what the programming paths look like, and how prisoners move through their mandated programs. Conducting this research

through an intersectional feminist lens positioned me to interrogate the specificities of Indigenous women's programming and how this programming stream is both similar to and different from programs for non-Indigenous women. While scholars have reflected broadly on the Indigenization of federal corrections and programming (Martel & Brassard, 2006; Martel et al., 2011; McGuire & Murdoch, 2021; Montford & Moore, 2018), I was able to delve more deeply into the program documents themselves to reveal the discourses that are at the root of the problematic representations of Indigeneity in prisons.

This research also makes concrete methodological contributions. While correctional and mental health interventions have been studied qualitatively by other scholars (see, for example, Pollack & Kendall, 2005), the research incorporates interviews with women as a way to maintain a concentrated focus on women's experiences with prison programming. Beyond a small sample of in-depth interviews, I deployed a different method of data collection – an access to information and privacy request – a method that is becoming increasingly used in the critical social sciences, but which has a number of limitations and challenges (Larsen & Walby, 2012; Walby & Luscombe, 2019). Using ATIP as a data collection method offered a “behind the scenes” view of the correctional programming structure and content for federally sentenced women. I made my way through layers of bureaucracy (Walby & Larsen, 2011a) and many information blockades (Piché, 2011) created by CSC to gain access to the government records I requested, and this process took upwards of 18 months. Supplementing the textual data secured through the ATIP request with the voices of formerly incarcerated women allowed me to contextualize the institutional documents with women's lived experiences and ultimately led to a more rigorous analysis and discussion.

Finally, this research provides a theoretical contribution to both the governmentality and critical feminist bodies of literature. While these two frameworks are often mobilized separately, merging them was necessary for this project. I deployed both of these frames as a two-part conceptual lens to examine how women's gender and race contribute to their criminalization and shape the disadvantages they are confronted with, and to explore more deeply the ways in which these identities and experiences are produced in and through power/knowledge and discourse. As programming is designed to reduce women's risk levels, it was important to deploy my "theoretical toolbox" to identify how risk is (re)produced within power relations and how it is connected to gender and race (Hannah-Moffat, 2010; Hannah-Moffat & Maurutto, 2010; Olofsson et al., 2014). Notably, while I sought to analyze identity markers other than race, this research highlights that there is a problematic lack of attention paid to identity locations other than Indigeneity in correctional programming – for example, for other racialized women including Black women, as well as identity locations tied to women's class, gender expression, sexual orientation, or disability – not to mention how Indigeneity is constituted in a pan-Indigenous way that serves to identify Indigenous women as both riskier and more at risk than non-Indigenous women.

### **Social & Policy Implications: Expanding the Lens**

In this section I endeavour to "zoom out" and expand the lens through which I have made my central arguments. Here, I seek to understand how we may think more broadly about incarcerated women, gender, mental health, rehabilitation, punishment, and the role of the prison. In this section, I reflect on the role of rehabilitative programming and the Correctional Service of Canada as an institution that exists within a larger, structural state apparatus. In taking a theoretical step back, I am left with questions of how a penal institution can be successful in

rehabilitating individuals in a capitalist, neoliberal society with an ever-shrinking social safety net. I wonder, how can we improve the current carceral conditions for prisoners to make life inside more livable, while maintaining an abolitionist agenda that aims to advance structural change? In what follows, I reflect on what the implications might be at a societal level as well as the implications for penal policy that can be gleaned from this research.

As I have explained throughout this dissertation, rehabilitation and reducing risk (and therefore “recidivism” – or recriminalization) is the fundamental goal of CSC’s prison programming. Indeed, CSC institutions are required by law to provide rehabilitational services to prisoners and to provide essential mental health care that “will contribute to the inmate’s rehabilitation and successful reintegration into the community” (*Corrections and Conditional Release Act* of 1992 [s.86]). Notably, however, and as discussed earlier in this dissertation, CSC overtly does not engage the “average prisoner” in mental health programming (i.e., DBT programs), which not only calls into question the implementation of the *Corrections and Conditional Release Act* but also of one the principles from *Creating Choices*, “shared responsibility.” While it is without question that penal institutions should provide basic and humane care for those who are caged within them, we must also consider our broader social failings that result in the prison being used as a last resort in providing mental health care, education, housing, and daily meals to individuals who have fallen through the cracks of the social safety net.

Prisons currently cage many of the poor, racialized, and mentally distressed members of our communities (Roberts, 2017; Zinger, 2019). Indeed, the penal system has become the “catch all” for social problems and the failings of governments at all levels (Gilmore, 2007), the “*de facto* detox centres and shelters for women with few accessible community services and who

have little financial or personal means of support” (Kilty, 2012a, p. 164). Prisons are also the last resort for individuals who are experiencing serious mental distress, the “only places that cannot turn women (and men) away from their doors. ... the net used to catch all those unfortunate individuals who fall through the ever-widening gaps in our health care system” (Maidment, 2006, p. 88). While prisons may be the “catch all,” they must not, at the same time, be viewed as the “fix all” or the panacea for social problems, as incapacitating individuals does not solve the social problems and failings that they will once again face upon release; indeed, prisons are simply a band-aid solution to a plethora of broader societal issues.

This can, in part, be explained by changes in government spending. Particularly in the province of Ontario,<sup>46</sup> we have seen massive budget cuts over the past two decades under the leadership of both the Liberal and the Conservative parties. For example, during Kathleen Wynne’s time in power from 2013-2018, health care costs were cut significantly to make up for the soaring debt incurred by the Liberal party, resulting in nursing shortages, bed shortages, and overcrowded emergency rooms (Financial Accountability Office of Ontario, 2017; Wallace, 2018). Before Wynne was in power, Liberal leader Dalton McGuinty also made significant cuts to public service spending over the course of a decade (from 2003-2013), such as to children’s services and social assistance (Monsebraaten, 2012). Most recently, we have seen exorbitant budget cuts by Premier Doug Ford’s Progressive Conservative Party. In their first year in office, Ford and his party cut billions of dollars to social services, education, and health (Syed, 2019). Moreover, in March of 2022, the Financial Accountability Office of Ontario (2022) released a report outlining that the provincial government spent \$5.5 billion less than planned, including on

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<sup>46</sup> I provide Ontario as an example as it is where the research for this dissertation was conducted and is therefore the most relevant and tangible case of neoliberal government (in)action and the resulting austerity through funding cuts.

health, children's and social services, education, and postsecondary education,<sup>47</sup> while the justice sector, which includes police, courts, and corrections, received more government funding than was initially planned. In other words, the provincial government withheld billions of dollars of spending in crucial areas that would offer support to Ontarians during a global pandemic, a time when the health care system was exceptionally overburdened, mental health for the populace was at an all-time low, and our educational systems were in chaos. While health, children's and social services, and education receive more annual funding than the justice sector,<sup>48</sup> it is nevertheless notable that during a public health crisis, the government allocated additional funds toward police, courts, and corrections than on healthcare and long-term care specifically. Ultimately, as funding is reduced in core areas that support people (e.g., education, health care, housing, and other social services), the most vulnerable and marginalized members of society are more likely to fall through the growing cracks in greater numbers.

Accordingly, as we see budgets for social spending decrease, provincial jails and federal penitentiaries are consequently relied upon as one of the primary ways for vulnerable individuals to access basic human necessities such as food and shelter and to access other needed services like counselling (Bucerius, Haggerty, & Dunford, 2021). One of the participants I interviewed described feeling fearful of being released after having spent the last 23 years in and out of jails and penitentiaries – fear of not having a roof over her head, a meal on the table or continuous

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<sup>47</sup> Funding to the health sector includes hospitals, public health, and long-term care and is allocated to programs such as OHIP, mental health and addiction services, and the Ontario Public Drug Program, for example. The children's and social services sector includes social assistance, special needs assistance and developmental programs and services. The education sector includes elementary and secondary schooling and teacher salaries. The post-secondary sector includes funding support for colleges and universities and programs such as the Ontario Student Assistance Program.

<sup>48</sup> For example, in 2019-20 the province spent \$63.7 billion on the health sector, \$30.2 billion on the education sector, and \$17.1 billion on the children's and social services sector, while the justice sector received \$4.7 billion in funds.

employment. After her last transgression, she was also put on a long-term supervision order upon her release from prison. She explained:

And ya know it's kinda hard [getting out] because you have everything there [in prison]. And coming out here you have to fend for yourself, you gotta make your own money and it's really hard. I just talked to my [parole officer] yesterday about it. I says I really don't care anymore I'd rather do my 25 years inside. I can't do this ten years outside. It's too hard. I've been bouncing in and out in and out [of prison] all this time. I had my clothes, I had my stereo, I had my DVDs, I had TV, cable, had a job, had money had canteen. You know what I mean. (Darcy)

Darcy's reflection certainly showcases the failure of prisons to rehabilitate prisoners through programming given that many continue to cycle in and out of the penal system (Bucerius et al., 2021; Comack, 2018; Kushel et al., 2005; Maidment, 2006), but it also more poignantly shows a prominent failure in our society to provide adequate and affordable care, housing, and employment support. Her reflection intimates the ways in which a capitalist, neoliberal, and colonial state apparatus disadvantages and harms marginalized people.

That Darcy feels she will have her basic needs met more adequately inside a prison speaks, in part, to the normalization of institutionalization as well – while CSC is “left” taking in marginalized people, many of whom commit harms in relation to the shrinking social safety net, these same people are also “left” with incarceration as the only way to ensure shelter and three meals a day (Bucerius et al., 2021; Comack, 2018). This is deeply problematic and troubling; it is without question that normalizing the prison as a “catch all” and “last resort” needs to be addressed. It should not be the case that citizens of this country find it more difficult to secure safe and affordable housing – especially during the winter months – than returning to prison, sacrificing their mobility and access to their community and the outside world in order to have a roof over their head (Bucerius et al., 2021). Yet, as capitalism and neoliberalism continue to promote the values of individualism and choice, (the myth of) meritocracy, and personal

responsibility by way of austerity, deregulation, and marketization, structural inequalities are further amplified, which subsequently perpetuates a reliance on jails and penitentiaries (Bruckert & Law, 2018; Rose, 1996, 1999).

The above insight begs an important question: While I am critical of the correctional system generally and its required programming for women, we must also ask whether we should be tasking prisons and prison programming to solve problems related to poverty, homelessness, addiction, mental health, and colonization. It is essential to understand the penal system as but one feature of a much larger interlocking complex of systems (of capitalism, neoliberalism, colonialism, and Eurocentrism, for example) that cause harm, create disadvantage, and oppress already vulnerable people. Arguably, prisons are doing what they are inherently designed to do – they incapacitate, isolate, and punish. To seek real healing, as Comack (2018) argues, we need to change women’s social circumstances outside of prisons to reduce their likelihood of falling through the cracks in our social welfare systems in ways that lead to their criminalization and incarceration.

I would argue that within the logic of rehabilitation there lies a paradoxical problem. As Duguid (2000) asks, “Can individuals be reformed or rehabilitated in prisons, or are these institutions modern versions of the medieval dungeon?” (p. viii). Despite the benevolent intentions of the so-called gender responsive women’s programming, how can rehabilitation be a realistic goal within the confines of austere institutions that cage human beings and perpetuate harm? While some tools and strategies gleaned from the correctional programs are valued by women who incorporate them into their daily life beyond incarceration (according to participants of this study), the primarily cognitive behavioural tools that are taught in these programs are individualist in nature and are unable to produce the kinds of structural changes in the lives of

women prisoners that are required to ensure success upon release for many women. Ultimately, the gender responsive “reforms” made to women’s prisons over the past three decades have become absorbed by existing carceral logics, such that these reforms serve to strengthen the prison’s position in society (Gilmore, 2007; Maurutto & Hannah-Moffat, 2016). Indeed, as Russel and Carlton (2013) argue, “The promotion of gender responsive strategies limits the possibilities for *transformative* changes because the diverse needs of marginalized women are relegated to internal and institutional mechanisms of redress that ultimately reinforce the legitimacy of the prison system” (p. 486; emphasis in original).

Further, it is problematic that the only method touted as what works in reducing prisoners’ risk is CBT-based and DBT-based programming, streamlined programs that are premised on cognitive restructuring – or correcting the faulty thinking patterns that lead to involvement in the criminalization system – which negates the potential value of other methods of intervention and support that may better target women’s needs. As I have argued throughout this dissertation, the structural barriers and challenges that women face continue to exist regardless of whether they may be “cognitively rehabilitated” on the inside, and it is often these structural challenges (e.g., poverty) that contributed to their criminalization in the first place, and which persist upon their release.

Notably, I do not mean to suggest that CBT as a therapeutic strategy is wholly problematic; rather, I argue that the way it is implemented as the only way to rehabilitate prisoners is not and can never be enough to change the conditions of women’s lives on the outside, despite CSC’s evidence that the cognitive behavioural model of programming is “what works” to reduce risks of “recidivism” (Bonta & Andrews, 2010). This evidence, however, is based on actuarial models (the Custody Rating Scale, for example) and the resulting statistics

that quantify risk but nevertheless do not target the different needs that criminalized women have, such as affordable and secure housing, employment, and mental health supports (Hannah-Moffat, 2005). Cognitive behavioural strategies that target a prisoner's presumed poor logic and reasoning may effectively alter the numbers that indicate her risk level, but nevertheless are unable to change the myriad external factors that may affect her thinking and behaviour (Pollack & Kendall, 2005). Indeed, promoting rehabilitation using the rhetoric of "choice" and "self-management" does not mean a prisoner can simply "choose" to avoid homelessness, unemployment, addiction, mental distress, racism, and violence once she is released. This rhetoric only "obscures the further entrenchment of imprisonment" (Russel & Carlton, 2013, p. 287) as correctional programming is not equipped to solve societal problems that are created by structural failings that create "pathways into crime" for women.

### **Non-Reformist Reforms and Caring Communities**

Given these challenges, it is essential to ask how we can improve conditions of confinement to not only make life more inhabitable in prison, but also to change the way women experience prison programming so that they can feel supported both during their time inside and upon their release. How can we do this while also promoting decarceration and abolitionist solutions that do not seek to fix a system that is functioning as intended? I propose that we look beyond CBT as the primary method of rehabilitation to identify what prisoners want and need out of programs and how their mental health can be better addressed and supported. In what follows, I explore the significance of my findings in relation to penal policy and how these implications aim to challenge the power and legitimacy of the prison (Shehk, 2021). I do not seek to promote "reformist reforms" that strengthen and legitimize the prison so that it operates more effectively (Mathiesen, 1974); rather, I seek abolitionist reforms or "pragmatic strategies"

(Carrier & Piché, 2015, p. 1) that would improve the conditions for prisoners on the inside, while also working towards decarceration.

Rather than further entrenching carceral logics and offering modest changes to correctional programming and mental health intervention, I suggest that we need to consider possible transformative changes, much of which can be modeled from solidarity and mutual aid supports that are shown among prisoners (Fayter, et al., forthcoming; Davis & Fayter, 2021). Given the punishing nature of penal practices, prisoners often turn to one another for safety and interpersonal support as opposed to looking to CSC guards and other staff members to provide this. Prisoners demonstrate an ethic of care by way of actions such as looking after a peer who is sick, cooking and sharing food, lending clothes, and offering books or music to someone who is experiencing distress (de Graaf & Kilty 2016; Fayter & Payne, 2017; Law, 2012). This demonstration of mutual aid allows prisoners to come together in solidarity to support each other in an austere institution that is designed to punish. Yet, the carceral system does not typically support actions of mutual aid and support among prisoners; indeed, prisoners risk punishment for acts of solidarity, as the acts become a threat to a system that effectively isolates and alienates (Davis & Fayter, 2021; Law, 2012).

This appears, on the surface, implicitly contradictory logic given that relationships are a topic that is discussed at great length in the programming documents; however, as I argued in chapter six, relationships are discussed in a problematically gendered way and are explained through carceral and security logics. In the day-to-day materiality of life in prison, relationships are highly surveilled, controlled, and even repressed (Fayter & Payne, 2017; Pollack, 2007). In order to “upend carcerality” and radically re-envision the role of prisons in our society, mutual aid must be encouraged as it can be “a way of life and survival” for prisoners (Davis & Fayter,

2021, p. 162). Indeed, building connection has been found to foster and strengthen resilience (Hartling, 2008). By encouraging and allowing mutual aid and relationship building among prisoners, women feel less isolated and alone, much to the benefit of their mental health and wellbeing.

Peer support programs are also able to provide trustworthy mental health and overall support for people in prison (Perrin, 2018; Pollack, 2008). One of the women I interviewed discussed her role in peer support – she found purpose in supporting women and friends who were experiencing mental distress and described the program as “lifesaving” (Kerri).

Unfortunately, as I discussed in chapter seven, peer support program involvement is considered a “privilege” and is taken away from prisoners in the name of punishment for a variety of reasons, including general institutional infractions. Research suggests, however, that peer support programs are important and can help to reduce stress and anxiety in prisoners and have been shown to positively impact both those who offer the support and those who receive it (Perrin, 2018). In contrast to the current correctional programming that emphasizes cognitive restructuring to reduce risk and rehabilitate prisoners, research on peer support programs shows that “doing good” benefits mental health and tends to counter negative emotions and feelings of isolation that prisoners often experience (Perrin & Blagden, 2014).

In addition to peer support programs, we can also envision programming that includes or is facilitated by women (or men) who have similar lived experiences with criminalization, but who have successfully desisted and reintegrated post-incarceration. The (now cancelled) program LifeLine, for example, was a voluntary program that was designed to support prisoners serving life or indeterminate sentences. Lifers who were out on parole and had been living in the community without incident for at least five years offered support based on their own

experiences to prisoners serving life sentences, helping them reintegrate once released on parole (CSC, 2009).<sup>49</sup> Some participants expressed that it is easier to learn from and be able to trust individuals who personally understood what they were going through. One of Riley's facilitators in the Structured Living Environment was a former gang member and she valued him deeply because, as she stated, "he was able to put himself in our shoes." Other research similarly finds that prisoners want the opportunity to learn from their peers in programming, from those who have similar lived experiences (Bernard et al., 2018; Pollack, 2008)

Another participant also suggested having people from the outside coming in for programs or psy services because "there's different accountability and they can keep things confidential, because all the psychological services [in the prison] are untrustworthy. People cannot be honest" (Dana). This point has been identified by other scholars, whose participants likewise did not trust correctional counsellors, psychologists, or program facilitators with personal thoughts and feelings for fear that this information could be used against them in some way (Kilty, 2012a). While bringing incarcerated women into the community to attend private counselling would be more expensive and would create logistical complications in terms of arranging secure mobility between sites, these findings suggest that it is important to separate institutional power and responsibility for health and mental health care from the prison system. Having access to community-based care would also facilitate reintegration and would strengthen women's ties to the communities to which they will return post-incarceration (Perrin & Blagden, 2014).

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<sup>49</sup> The program was cancelled due to budget cuts and because it was purportedly not proven to be cost-effective (CSC, 2009). Anecdotally, however, prisoners report that the program was lifesaving and had myriad benefits (CBC News, 2012).

## **Final Remarks**

While this project was rooted firmly in a feminist perspective and sought to explore the problematic ways that gender is discursively constituted in women's correctional programming, it was not designed to offer a comparison with men's prison programming (nor did I have the data to do so). Nevertheless, I am left wondering about the potential similarities and differences between men's and women's programming. A future study using a similar research methodology of acquiring programming documents to conduct a gendered analysis of men's programming, would, I believe, provide fruitful insights into the gendered discourses that make up men's correctional programs.<sup>50</sup> It would be interesting, in such a research project, to explore the ways in which masculinity is discursively constituted in men's programs, and how gendered stereotypes and discourses underpin CSC's Integrated Correctional Program Model for men. It would further be important to identify how these discourses vary from, or are comparable to, those that I uncovered in this research of women's programs.

In this final chapter, I have provided a short summary of how I came to conduct this research; I reviewed the arguments I made in the substantive analysis chapters, and I discussed the various contributions this research has to offer. Additionally, I reflected on various social and policy implications by expanding my lens and briefly examining the structural failings that have resulted in an ongoing reliance on prisons due to an ever-shrinking social safety net. I also explored some of the ways that women prisoners and their mental health and overall wellbeing can be better supported in and through an ethic of care, mutual aid, peer support, and non-CSC involved program facilitators and mental health and addiction counsellors and interventionists.

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<sup>50</sup> To my knowledge, a study of this nature has never been conducted.

My hope is that this project not only allows us to recognize the myriad ways that federal prison programming problematically constructs gender and mental health, deploys neoliberal logic, and requires women to self-discipline and “choose” a path of prescribed rehabilitation, but also that it allows us to reflect on the carceral complex as a whole. I hope that it helps us to see that the only viable solution to these structural problems is decarceration and the growth of our social welfare support system. As Chartrand (2015) writes, “The question then is not a matter of improved prison conditions or even better accountability, but to remove women and others from an apparatus that produces state violence” (p. 14). It is essential that we work toward an abolitionist future, that we interrogate oppressive structures, and that we radically re-envision the future as one without prisons.

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## Appendix A: Research Ethics Board Approval Certificate

04/12/2018

**Université d'Ottawa**

Bureau d'éthique et d'intégrité de la recherche

**University of Ottawa**

Office of Research Ethics and Integrity

### CERTIFICAT D'APPROBATION ÉTHIQUE | CERTIFICATE OF ETHICS APPROVAL

**Numéro du dossier / Ethics File Number**

S-11-18-596

**Titre du projet / Project Title**

Mental Health and Prison  
Programming for Federally  
Sentenced Women

**Type de projet / Project Type**

Thèse de doctorat / Doctoral  
thesis

**Statut du projet / Project Status**

Approuvé / Approved

**Date d'approbation (jj/mm/aaaa) / Approval Date (dd/mm/yyyy)**

04/12/2018

**Date d'expiration (jj/mm/aaaa) / Expiry Date (dd/mm/yyyy)**

03/12/2019

#### Équipe de recherche / Research Team

**Chercheur /  
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Superviseur / Supervisor

**Conditions spéciales ou commentaires / Special conditions or comments**

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## **Appendix B: Oral Consent Form**

**Title of Project:** Mental Health and Prison Programming for Federally Sentenced Women

**Principle Researcher:** Brittany Mario | Doctoral Student | Department of Criminology | University of Ottawa

**Doctoral Supervisor:** Dr. Jennifer M. Kilty, PhD. | Associate Professor & Associate Director | Department of Criminology | University of Ottawa | 120 University Private | Ottawa, ON | K1N 6N5

### **Purpose of the Study:**

The purpose is to examine the correctional programming in which federally sentenced women who are identified as having mental health needs are required to participate. The researcher will explore the women's experiences of these programs in order to shed light upon the types of mental health interventions offered to women in federal prison. The researcher also aims to uncover how programming decisions are made by way of intake and follow up assessment processes and the related policies and procedures that affect women who have mental health concerns.

### **Description of Participation:**

Participation in this project will include one interview, approximately one to two hours in length, where the participant will be asked to respond to questions asked by the researcher.

### **Risks:**

There will be no direct or significant risks involved in the interview, however, there is a chance that some questions may bring up memories or moments that feel difficult to recount and may bring about some discomfort or distress. I will never be forced to answer any questions that I do not feel comfortable answering, and I can be assured that the researcher will make every effort to minimize the risks of emotional or psychological discomfort. At the end of the interview I will be provided with a list of contact phone numbers for mental health services or the local crisis line that I contact should I continue to feel any distress following the interview.

### **Benefits:**

My participation in this study will contribute to an area of knowledge in the field of criminology that has not been explored yet. This is the first known study to explore prison programming for women and how it overlaps with mental health. The hope is not only to make an academic contribution, but also to make a policy contribution by suggesting ways to better address and respond to incarcerated women's experiences of mental distress.

### **Confidentiality and Anonymity:**

The researcher emphasizes that the information and stories I share today will remain strictly confidential and that I, as a participant, will be completely anonymous. I will choose a pseudonym – or a fake name – that I wish to be called in the project so we can avoid a record of my name to protect my identity. The information collected today and the later analysis and writing will only be used for research purposes.



## Appendix C: Interview Guide

### Preamble

A component of my PhD research involves conducting interviews with women like yourself because I want to know more about your experiences. So as I just mentioned before, we are going to be talking about your time in the penitentiary specifically. And as I said, it is possible that the interview may bring up some things that may be tough or sensitive for you to talk about, but I just want to let you know that there are neither good nor bad responses to the questions I will ask. You will never be asked to talk about your charges or the reasons you spent time in prison. Again, your comments will be anonymous and confidential.

### Preliminary Information

Now, I just want to confirm that the goals of the research have been explained, we have gone over the consent letter orally, and that you have been able to ask questions if you have them, get any clarification if you need or opt out of this interview. [*Confirm yes or no*] And finally I want to confirm that you have consented to be audio recorded [*Confirm yes or no*]

We're going to start off with some boring demographic-style questions. These are just for my research purposes and to kind of give a "base" to the interview. So, I'm curious to know about general information about yourself.

1. In terms of your identity, what is your:
  - a. Gender
  - b. Age
  - c. Ethnicity or race
  - d. Where you live
  - e. Job
  
2. What dates or years were you in the penitentiary from and to? (If multiple times, the first time you ever went, and then the most recent time?)

### Open Invitation to Speak

*[Note: this is an intentionally open section of the interview, with the goal of allowing participants to have an opportunity to provide an introductory background of their lives, discuss who they are and where they come from. If the participant is not ready/comfortable to engage in an open-ended discussion at this point, I will ask a few of the prompt questions and move on to the semi-structured section.]*

How about we start with who you are, your story.

*Prompts:*

- Where are you were born and where you have spent most of your life (may have been answered in demographic question)?
- How long has it been since you spent time in a prison facility?
- What is your family life like?

- Did/do you face stigma while you were in prison or now that you're out because you have been to prison? What does this stigma mean for your identity?

### Life in Prison

3. Now I would like to talk about your experiences in prison, specifically in a federal facility [*note of clarification if necessary – not provincial or remand*]. Place yourself in the moment you entered the building – do you remember what the building looked like? Smelled like? Felt like?

#### *Prompts:*

- Can you describe how you felt when you first arrived?
  - Was this the first time you had been to prison?
  - What happened at intake?
  - How you were treated by the guards or intake staff?
  - What was your general feeling of the process?
4. Think about an average day in prison. Imagine yourself waking up – you open your eyes and your day begins. Can you talk about what a typical day involved for you, your routine?

#### *Prompts:*

- What kinds of activities did you do or were you involved with?
  - What did you do to pass the time – did you have any hobbies?
  - Who did you interact with?
5. How were you treated by the [federal] staff and guards [at GVI] on a daily basis?
  6. Did you have visits from friends or family or other contact with them?

### Programs & Activities

Now we are going to talk about the specific programming that you did in prison. By programming I mean any group or even individual sessions, the women's engagement program or WOMIP or WOHIP or SMP for example, where you may talk about: substance use, gaining tools and skills to manage your emotions, anger management, parenting responsibilities and skills, things relating to jobs and work, building relationships, and where you talked about your mental wellbeing, maybe therapy or counselling programs such as DBT where you had to talk about how you felt.

7. Take a few seconds to place yourself back there, when the time of day comes to go to your session.

#### *Prompts:*

- What did the room look like?
- What program are you thinking of specifically?
- Did you enjoy interacting with other participants?
- Did you enjoy interacting with the facilitator?
- How often did you go?
- How did you feel about going each time?

8. What did the program entail?
  - How long was each session? How long was the entire program?
  - Were you required to follow specific rules outside of the session because you were a participant of the program?
  - Were you disciplined for not following the rules in any way?
  - Did the group leader give you any homework or useful information in terms of pamphlets, keeping a journal, or other documents?
  - What kinds of things did you have to do while you were participating in the program?
  
9. During your programming sessions, were you asked about your life history at all? In terms of your:
  - family life;
  - history of experiencing violence or trauma;
  - history of mental health issues;
  - Or prior time spent in prison?
  - If yes, how were these incorporated into your programs or rehabilitation, if at all?
  
10. Did you find the program you participated in to be helpful or not so helpful? Why/in what ways?
  
11. Did you like the programs?
  
12. Were you told that you were required to go through programming in order to have a better chance of parole?  
*Prompt:*
  - Who told you that you had to complete the programming?
  
13. Who led the programs?
  - How was your relationship or interaction with the leader of the program?
  
14. In what ways, if any, did the correctional program you participated in (WEP, AWEP, WOMIP or AWOMIP, for example) address your mental health?
  
15. What do you think the overall goal/intention of the program was?
  - Do you agree with that goal?
  - If not, what would be an appropriate goal of the program?
  
16. What do you think makes a program successful?
  - What would be considered 'not successful'?
  - What do you think are some challenges you might face or some of the barriers you might encounter that may prevent successful completion?

17. CSC says that their main goal in prisons and in programming is to rehabilitate people.

How do you feel about this or what do you think about it?

- Do you think that's what happens? Would you agree?
- Did the prison "rehabilitate" you in general?
- What does rehabilitation mean to you?

18. If you had any advice, what do you think the programs *should* be about?

*Prompts:*

- What was missing?
- What was there too much of?  
[note to self: trauma-informed care, relapse prevention]

### Mental Health

We are now going to move on to talk about mental health as it relates to you and your experiences.

19. When I'm talking about mental health in this next section, I mean your emotional, psychological, and social well-being. How you think, how you feel, how you act, how you cope with the average stresses of life. Would you agree with this way of thinking about mental health?

*Prompts:*

- Can you describe what mental health is to you?
- What does it mean to be mentally healthy or unhealthy?

20. Have you ever been diagnosed with a mental illness or disorder?

- What were you diagnosed with?

21. Were you ever told by staff in the prison that your mental health was an issue or that you were mentally ill?

22. Have you been prescribed medication? What types? Seroquel is a common one.

- Were you prescribed anything *prior* to your incarceration? Or was it while you were in there?
- Did the medication(s) make daily life easier for you? Or how did it help you cope?
- Were you ever given involuntary injections of medication?

23. How would you describe your emotions or overall sort of mental state while in prison?

- a. Did that change at all for you from before you went in, to during your time, to after you were released, to now?

24. How did you cope with being in prison?

*Prompt:*

- Did you engage in any self-harm as a way of coping?

25. Did any correctional staff (guards, programmers, counsellors, educators, psychologists/psychiatrists) or other women show concern for your mental health at any point? How did they do that?
26. If you ever felt distressed or mentally unwell while inside, can you talk about or describe how the prison staff handled it?
- Were you ever placed in segregation? *[If yes – what was your experience of segregation? Do you think it helped or harmed?]*
  - Were staff ever violent with you? If yes, how?
  - How did *you* react to these experiences?
27. Were you ever required to attend any dialectical behaviour therapy (or DBT) sessions that were intended to address any mental health issues you were having?
- What is DBT like?
  - Who facilitated these sessions?
  - Did you participate in DBT and the correctional programming at the same time?
  - Were there ways that the sessions were useful for you?
  - [If not] How were they not useful?
  - Who gets to partake in DBT sessions?
  - Are you with a group or alone?
28. Did you ever speak with a counsellor (outside of programming or DBT) in prison? If yes – what did you think about that experience? Was it helpful? How?
29. Do you think that any mental or emotional distress that you experienced in prison was addressed or improved because of
- a. The program
  - b. DBT
  - c. Counselling
30. Was there anything else that you personally did that helped your mental wellbeing?
31. Were you ever placed in a separate facility because the prison staff thought you were in a mental health crisis or were mentally unwell? Places such as the regional psychiatric centre or the SLE?
- How did you feel about this?
  - Could you describe the transition from prison to the facility and then from the facility back to prison?
32. In thinking about your health – both physical and mental – how would you compare how you felt at the beginning of your time versus the end?
33. How is your mental health now that you are no longer in prison?
34. What do you think would be helpful for women who are experiencing any kind of distress or mental health issues or having a difficult time coping in prison?

### Concluding Questions

35. Is there anything else that you would like to add or anything that you want to ask me about or to talk to me about?
36. Is there anything that I did not discuss or address that you feel should be addressed?
37. Would you be able to direct me to someone else who may be interested in participating in the research?

Thank you for taking the time to share your thoughts and experiences with me. Do you have any other comments, concerns or questions? *[Time for further comments if needed]* If you feel that you have anything else to add or would like to change your mind about being part of the study, please feel free to contact me using the contact card I have given you. I also will leave you with this list of phone numbers for people and organizations you can contact if this interview has brought up any sensitive issues that you are feeling distressed about. Should you need to talk to someone urgently please call the crisis line – it runs 24 hours a day 7 days a week – or feel free to debrief with one of the staff here at the house. Thanks again for talking with me.

**\*STOP RECORDING DEVICE\***

Once all the interviews are complete and I'm done a whole bunch of writing, I will be putting all of the information together and be able to give you a brief summary or small report that talks about my findings and conclusions of the research. If this interests you, how would you like to be contacted?



# **PARTICIPANTS NEEDED FOR RESEARCH IN MENTAL HEALTH AND PRISON PROGRAMMING FOR FEDERALLY SENTENCED WOMEN**

I am looking for volunteers to take part in a study about women's experiences of mental health in prison and related interventions including participation in prison programming.

Individuals must have served time in a Canadian federal correctional facility for women, participated in a program at least once, and have either self-identified or prison-identified mental health concerns.

As a participant in this study, you would be asked to participate in a **confidential, one-on-one interview with the researcher.**

Your participation would involve **one** session that will be **1-2 hours** in length.

In appreciation for your time, you will receive a **\$35 cash** honorarium.

For more information about this study or to volunteer for this study, please contact:

Brittany Mario, PhD Student  
Department of Criminology  
University of Ottawa

**This study has been reviewed and received ethics clearance by the University of Ottawa Research and Ethics Board.**