

Sept 11

Social Determinants of Health and Prison Life

- Social determinants of health: education, housing, income, job

Areas where Canada has fallen particularly short

- Tax and transfer policies
- Child and family poverty
- Urban health policy
- Housing

Health Canada- SDH (Pg.46)

- Income/social status
- Social Support
- Education
- Employment/working conditions
- Physical/Social Environments
- Healthy Child Development
- Health Services
- Gender
- Culture

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Healthy Child Development

- Childcare cost

Health Services

- Quality and assurance

Number of days patients are being hospitalized has been drastically reduced

Most people are unemployed at the time of their arrest

Income/ Social Status- Prisoners who have jobs make 6.90 for an 8 hour shift

Social Support- tendency not to share emotion, stigma against inmates, support groups

Education- Can finish GED, not much education, avg is gr.7

Employment- Labour, limited to labour type work, construction,

-Programs that allow newborns to live with inmate mothers for specific periods of time

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-Prisoners experience the same diseases/illnesses that we deal with on the outside however it is a lot more concentrated inside the prison due to their social determinants of health

-Prisoners have a multitude of health needs

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Individual displays of opposition (p.260)

- Fights
- Verbal conflicts
- Interpersonal conflicts between inmates and guards
- Inmates would stay in their cells to avoid conflict and would therefore only eat unhealthy convenience store food

Legitimate Group Activities (p.262)

- Smuggling in food

Illegitimate Group Activities (pg.263)

- Underground trade
- Clothes, food, commodities

Lessons learned?

- Hard to capitalize on needs in a system that does not offer much

Sep 25

Death Penalty

-

Oct 11

Institutional Security

-Dog sniffing and no contact policy are tough on children of inmates

-Children become aware of the highly securitized environment

Oct 18

3 Type sof possible mother-child contact in prison:

1. Full-Time Residency - for children aged 0-5 years
2. Part- time or Occasional Residency

3. Regular Visits: if it is in the best interests of the child, s/he may visit with her/his mother in the visiting area of the prison - provided there is someone willing to transport the children and be present during the visits.

-Attachment Theory

-When a child's mother is taken away from them and thrown into prison, her child(ren) may face residential disruptions, school changes, separation from siblings, foster care or periods of time spent with convenient but inappropriate caretakers, feelings of shame, isolation and guilt, and even trauma from witnessing their mothers arrest.

Midterm 2

- 15 multiple choice
- 1 short answer
- 1 long answer
- All readings Oct 9-Nov 6
- All lectures since midterm 1
- Films (2x): "Prisoners of Age" & "Mothers in Prison"
- Guest Speaker (1x): D. Cassidy

In 1990, an HIV+ person did not need to disclose their HIV status if:

1. A condom is used
2. Their viral load is low or undetectable

Treatment as prevention:

- When the viral load stays undetectable, transmission is negligible
- The consistent and correct use of antiretroviral therapy (ART) to maintain an undetectable viral load includes:
 - High adherence to ART medications, to achieve and maintain an undetectable viral load
 - Regular medical appointments to monitor viral load and receive adherence support, if needed

Prep: Pre-Exposure Prophylaxis

PEP: Post- Exposure Prophylaxis

- A combination of two to three anti-HIV drugs that an HIV-negative person who may have been exposed to HIV takes to reduce their risk of HIV infection
- Taken as soon as possible, within 72 hours of being exposed to HIV
- Taken every day, exactly as directed for four full weeks

HIV Laws

1988: R.v. Wentzell

- First person in Canada charged for non disclosure
- Prosecutors pursued convictions using various crimes in the criminal code
- Charges include
 - “Criminal negligence causing bodily harm,”
 - “Common nuisance” by endangering the health and safety of the public
 - “Administering a noxious thing” (ie. semen containing HIV)
 - And in a handful of cases, prosecutors pursue charges for assault or sexual assault.

1998: R.v.Cuerrier

- People living with HIV could be found guilty of aggravated sexual assault if they did not disclose their HIV status to a sexual partner prior to sex that posed a “significant risk: of HIV transmission
- The supreme court did not impose a blanket duty to disclose
- Duty to disclose was only when there was a “significant risk”
 - It was generally understood that people with HIV were legally required to disclose before anal or frontal sex without a condom
 - It was unclear, however if sex with a condom and oral sex posed a significant risk

2012: R.v.Mabior (current laws)

The supreme court of Canada decided that people living with HIV must disclose their status before having sex that poses a “realistic possibility of HIV transmission”

An HIV+ person is not required to disclose their status to a sexual partner only if the following two conditions are met”

1. A condom is used

2. AND the positive person has a low or undetectable viral load

World AIDS Day 2016

- Justice Minister, Jody Wilson-Raybould, recognized in a statement the “over-criminalization” of people living with HIV
- She announced that the government would begin examining how the criminal justice system responds to HIV non-disclosure

World AIDS Day 2017

- The department of Justice released their report with their findings and recommendations
 - It explicitly recognizes HIV as a matter of public health (vs criminal law)
 - The Government of Ontario announced that Ontario Crown attorneys will no longer criminally prosecute people living with HIV in cases where there is no realistic possibility of transmission
 - The Law applies to cases where there is malicious intent to transmit HIV

- However, almost one year later, no concrete steps for action have been taken based on the recommendations and findings
- U=U: “undetectable=untransmittable”
- PEP, PrEP

Most common charge applied for HIV is aggravated sexual assault with a max sentence of life in prison

There is no HIV specific criminal offences in Canada

Criminal law does not prevent HIV

Nov 15

Video

Nov 27

First drug related charge in Canada was for opioids

1st legislation around drug use in Canada was to make opioids illegal to deter immigrants and arrest them due to the perception they were taking Canadian jobs.

Essay

- want to take the reader through key components
- What is she talking about
- What are her key components
- Who what when where and why
- Address mental illness

Robert, D. (2008). Prisons and Inmates as Vectors of Health in the New Public Health Era. The Case of Canadian Penitentiaries. *Prison and/as Public Health*, 32, 354-364. Retrieved from <https://uottawa.brightspace.com/d2l/le/content/81967/viewContent/1857260/View>