

HIV/AIDS, hepatitis C and injection drug use in prisons
New report concludes governments' response too little, too late



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MONTREAL – The prevalence of HIV/AIDS and hepatitis C in federal and provincial prisons continues to increase and Canadian governments are failing to provide the resources and leadership necessary to prevent the spread of infectious diseases among prisoners. In a new report released today, *Action on HIV/AIDS in Prisons: Too Little, Too Late – A Report Card*, the Canadian HIV/AIDS Legal Network concludes that despite repeated studies and nearly ten years of recommendations for urgent and pragmatic action, government response remains inadequate.

“Some jurisdictions have totally and abysmally failed to wake up to the reality of HIV/AIDS, hepatitis C and injection drug use in prisons,” says Ralf Jürgens, Executive Director of the Canadian HIV/AIDS Legal Network. “There have been some significant, positive developments over the past five years, but Canadian prison systems are still not meeting their moral and legal responsibility to prevent the spread of infectious diseases among prisoners and to care for prisoners living with HIV and other infections.”

The Legal Network’s report shows that HIV and hepatitis C prevalence in prisons continues to increase. “In federal prisons, known cases of HIV/AIDS increased by over 35 percent in four years. Depending on the various studies undertaken, prisoners are six to 70 times more likely to be living with HIV than the average Canadian,” Jürgens adds. Hepatitis C prevalence rates are even higher. Approximately 0.8 percent of Canadians are living with hepatitis C, but studies show that 20 to 80 percent of prisoners live with hepatitis C.

The report shows that, despite this crisis, Canadian governments are failing to provide the resources, leadership, and vision necessary to address, in a comprehensive and progressive fashion, the issues raised by HIV/AIDS, hepatitis C, and injection drug use in prisons. There is also a lack of coordination and harmonization of HIV/AIDS prison programs and services across the country. “As a result, the standard of care available to prisoners varies widely between jurisdictions, and often between institutions within jurisdictions,” says Rick Lines, a researcher and author of the Legal Network’s report.

Other findings include: With some exceptions, provision of HIV and hepatitis C prevention education for prisoners is poor; in many jurisdictions, HIV training for prison health staff is rare or non-existent; significant barriers still exist in most jurisdictions for HIV-positive prisoners who need to use HIV medications; and there are few HIV programs and services designed specifically for incarcerated women and for Aboriginal prisoners.

Perhaps most disturbing is that prisoners often still do not have access to the most basic HIV prevention measures that are available outside prisons. “Based on recommendations made in Canada, but also by the World Health Organization and the United Nations, condoms, bleach, methadone maintenance treatment, and sterile needles should be available in prisons. But the availability of these basic HIV and hepatitis C prevention measures in Canadian prisons remains limited,” Jürgens says.

In a “harm reduction rating,” compiled to measure the availability and accessibility of these prevention measures, only three prison systems receive a passing grade in the report. The British Columbia provincial prison system scored highest, with 22 of 30 possible points, receiving a “B.” Next were the federal system (21 points: B-); and Newfoundland and Labrador (D). All other jurisdictions received a failing grade: Québec (14 points); Saskatchewan (10 points), Yukon and Ontario (8), NWT (7), Manitoba and New Brunswick (6), Nova Scotia (5), Alberta (3), PEI and Nunavut (0).

“Of particular concern is that no prison system in Canada has even tried needle exchange programs, although injection drug use is common in many prisons,” says Lines. “Hundreds of needle exchange programs exist in the community, and prison systems in Western and Eastern Europe have successfully introduced them into prisons. Scientific studies show that they reduce the spread of infections, do not lead to increased drug use, pose no risk to the safety of prison staff, and are well accepted by prisoners, staff, and prison administrations.”

“Despite some advances, too little is being done with regard to HIV and hepatitis C in prisons in Canada, and it is being done far too slowly,” concludes Jürgens. “Prisoners are sentenced to be imprisoned, not to be infected. We are calling on the federal and provincial/territorial governments to show more leadership, action and commitment, and to do what needs to be done to prevent the spread of HIV and hepatitis C in prisons and to provide adequate care to prisoners who are already infected. Although they live behind prison walls, prisoners are still part of our communities and are legally and morally entitled to the same level of care and protection that is provided to people on the outside.”

The Legal Network’s report is based on a survey of federal and provincial/territorial health and corrections officials undertaken in 2001 and 2002. The survey asked each jurisdiction what actions have been undertaken to respond to recommendations originally developed in 1994 by the Expert Committee on AIDS and Prisons of the Correctional Service of Canada and updated in 1996 by the Legal Network in a comprehensive report with 88 recommendations, entitled *HIV/AIDS in Prisons: Final Report*.

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Action on HIV/AIDS in Prisons: Too Little, Too Late – A Report Card, an accompanying info sheet, and the Network’s 1996 report on *HIV/AIDS in Prisons*, are available online at: www.aidslaw.ca/Maincontent/issues/prisons.htm.

About the Canadian HIV/AIDS Legal Network

The Canadian HIV/AIDS Legal Network is a national organization engaged in education, legal and ethical analysis, and policy development, with over 250 organizational and individual members across Canada. In 1996, the Legal Network released *HIV/AIDS in Prisons: Final Report*, containing 88 recommendations about what Canada needs to do to prevent HIV transmissions and address injection drug use in prisons. The report released today assesses the progress made in implementing these recommendations within federal and provincial/territorial prison systems. The Legal Network is an NGO in Special Consultative Status with the Economic and Social Council of the United Nations. Our work has received national and international recognition: among other things, the United Nations Joint Programme on HIV/AIDS (UNAIDS) included our activities in its collection of “best practices.” Information about our activities and copies of our publications are available at www.aidslaw.ca.