

March 28, 2019

Senate of Canada  
c/o Senate Committee on Human Rights  
40 Elgin Street  
Ottawa, ON K1A 0A4

**Re: Study on the issues related to the human rights of federally-sentenced persons**

Dear Committee:

The Canadian Hard of Hearing Association (CHHA) would like to provide comments on the study on the issue related to the human rights of federally-sentenced persons, specifically addressing the needs of persons with hearing loss.

Hearing loss has a significant impact on the quality of life of Canadians - the way they work, play, develop, learn and socialize. If unmanaged, it can have serious health, safety, emotional and social consequences, including isolation, loss of autonomy and mobility, increased risk of falls, earlier onset of cognitive decline, confusion, depression, anxiety, higher rates of re-admission to hospitals and higher rates of preventable medical errors. These consequences have an enormous burden on the government-funded health care system. It is estimated that the direct cost to the Canadian Health Care system is roughly \$2 billion per year.

Despite evidence-based research and government statistics that show hearing loss to be widespread with serious impacts on health, quality of life and economic cost to government and individuals, hearing health remains a low public policy priority in Canada. Studies on individuals in federal prisons with hearing loss, is not easily found. One of the founders of the Canadian Hard of Hearing Association, Marilyn Dahl Ph.D., wrote about this topic in detail in her publication: *Twice Imprisoned: Loss of Hearing, Loss of Power in Federal Prisoners in British Columbia*. Extracts from this publication have been selected and provided below for the purposes of informing this committee about the issue surrounding people with hearing loss in Federal prisons.

1. Problems experienced by individuals in institutions tend to be hidden from the public gaze. This is so for inmates of prisons where regulations and bureaucratic structure conceal the daily life situation of prisoners from public view. Anonymity and concealment are enhanced by the widespread misperception of prisoners as an homogenous group. As a result, problems of vulnerable groups, such as people with disabilities, can be ignored. One such group is prisoners with impaired hearing.



2. Data were gathered through interviews with prisoners with impaired hearing, a comparison group of prisoners with normal hearing, and a selection of custodians. Of 114 prisoners screened, 69% had some degree of impaired hearing, often previously unidentified. Custodians, 86% of the time, labelled behaviours characteristic of the hard of hearing as deviant, and often aggressive, behaviours. Prisoner accounts revealed that failure to test hearing at time of incarceration has harmful effects on performance in programmes and encounters with the justice system. A social activist approach is recommended, to address structural inequalities among prisoners and barriers for prisoners in general.
3. Social control measures in prison attempt to normalize the individual and in the process, assess and discipline non-conforming behaviour. Custodial decisions on management of prisoner behaviour flow from conclusions formed in interactional and observational situations. Deviance definition flows from social perception of the individual and group with power. In this context, the prisoner with unidentified hearing impairment is particularly disadvantaged and discriminated against, however unknowing that discrimination may be. Clearly, the implications of the study are that prisoners with impaired hearing are not receiving reasonable accommodation. This is happening through lack of diagnosis on admission, and consequent lack of provision of hearing access in the daily life of the prison, the programmes, and parole board appearances.
4. Partial hearing impairment in individuals is often difficult to identify. The prison situation reflects that of society at large. Individuals conceal or deny their hearing loss through fear of stigma. Such stigma may be manifested by rejection, the attachment of negative labels associated with deviance, and additionally in the prison milieu, the fear of further punishment, jeers or harassment. Prisoners confirmed the validity of this fear, by documenting the numerous labels they have heard or experienced, as attached to the prisoner with impaired hearing.
5. Hearing impairment is largely a social experience. For the prisoner with impaired hearing, their sentence in a communication-inaccessible environment may be equivalent to solitary confinement, a dehumanizing experience. Gosselin [1982] Culhane [1985, 1991] and others have detailed the demoralizing, oppressive and isolating effects of solitary confinement, and of imprisonment in general. However, for the prisoner with impaired hearing, "The problem of hearing loss ... is not additive but exponential. That is, it is not the challenges of hearing loss plus incarceration, but rather hearing loss times incarceration" [Jamieson 1994].
6. Prisoners noted that, while there is not much socialization in prison, they felt isolated due to their problem in hearing, both socially and in gaining information. Sources of inaccessible information included the public address system, correctional staff, programmes such as groups, classes, and work situations, and appearances before the parole board and in court. The telephone and television were inaccessible to a significant degree, and some had difficulties with interpersonal relationships with significant others. Because prisoners lacked knowledge about, and had no access to, assistive communication devices, they



expressed helplessness and powerlessness to individually change or improve matters.

7. The misidentification of hard of hearing behaviour and the resultant negative mislabelling have a detrimental effect on the prisoner's progress through the correctional system. The majority of custodians identified typical hard of hearing behaviours as various trouble-making behaviours. This stereotyping is to be expected since aggressive types of behaviour were identified as common in this milieu. Given the valid potential for misidentification of behaviour flowing from impaired hearing, it is doubly important that hearing status be evaluated on admission and appropriate rehabilitative strategies instituted for the prisoner's program.

The Canadian Hard of Hearing Association (CHHA) was established in 1982 and is the leading consumer advocacy organization representing the needs of the nearly 4-million Canadians living with hearing loss. With a network across Canada, CHHA works cooperatively with professionals, service providers, government and provides life enhancing information, support and advocacy to ensure people with hearing loss are able to overcome barriers in all aspects of their lives.

CHHA has a global reputation in developing and delivering a wide range of initiatives that have challenged the status quo when working with people with hearing loss. As a leader in the sector we are often sought after to provide comments and feedback on various policy initiatives, identify best practices, develop and test technology, which in return has advanced the quality of life for people living with hearing loss.

Thank you for the opportunity to be able to provide feedback and to inform this study, if I can provide anything further, please do not hesitate to contact me.

Sincerely,

Christopher T. Sutton  
National Executive Director

#### **Bibliography**

Dahl, M. (1995). *TwiceImprisoned: Loss of Hearing, Loss of Power in Federal Prisoners in British Columbia*. Vancouver: University of British Columbia.