



# A critical review of the practice of double bunking within corrections

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The implications on staff, inmates, correctional  
facilities and the public

There is an increasing prevalence of double bunking within the Correctional Service of Canada. This paper seeks to investigate the impact double bunking has on the health and safety of staff, inmates and the public, as well as the impact it will inevitably have on the physical condition of institutions. Through a review of available research from academic and correctional professionals, this paper addresses and refutes the prevailing notion that further double bunking and overcrowding will have little impact in and on the field of corrections.

## **Introduction**

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In response to recent amendments made by the Government of Canada to the *Criminal Code*, Correctional Service Canada (CSC) has projected a significant increase in the number of convicted criminals requiring federal imprisonment. To be specific, the implementation of Bill C-2, the *Tackling Violent Crime Act*, and Bill C-25, the *Truth in Sentencing Act*, have significantly changed offender sentencing policies and incarceration lengths. While the full impact of these policy changes on the criminal justice system will take some time to come to fruition, the CSC has begun to experience consequences associated with these amendments.

For instance, by 2014, the CSC (2010) expects there to be an additional 4,478 inmates incarcerated in federal correctional institutions, and anticipates a total national penitentiary population of 18,684 by March 31, 2014. In order to address this expected rise in institutional populations across the country, the CSC will undoubtedly need additional staff and infrastructure. Although the Federal Government has committed to increase funding by 27% between the fiscal years 2010-11 to 2012-13 (Curry, 2010), lengthy construction projects will need to be undertaken. In the interim, modifications to the operations of existing facilities are being implemented. In August of 2010, the CSC introduced amendments to Commissioner's Directive (CD) 550, which addresses Inmate Accommodation. The changes made to CD 550 grant institutional wardens, through authorization by Regional Deputy Commissioners, the ability to house two offenders in cells originally intended for single occupancy, otherwise known as "double bunking." This practice stands in stark contrast to internationally accepted norms for acceptable cell accommodations as set out in the *Compendium of United Nations standards and norms in crime prevention and criminal justice*, which states:

"Where sleeping accommodation is in individual cells or rooms, each prisoner shall occupy by night a cell or room by himself. If for special reasons, such as temporary overcrowding, it becomes necessary for the central prison administration to make an exception to this rule, it is not desirable to have two prisoners in a cell or room." (2006)

Not only is this clear direction of reasonable accommodation the international standard, it is one that the Canadian Criminal Justice Association Standards holds as acceptable, and the CSC agrees with in principal. However, as stated in the *1986 Report of the Auditor General*, the CSC considers this standard as only a guideline and not mandatory

(*Report of the Auditor General, 1986*). While aspiring to these standards in principle, CSC has also embraced them in practice, utilizing a direct supervision approach to interactions between staff and inmate.

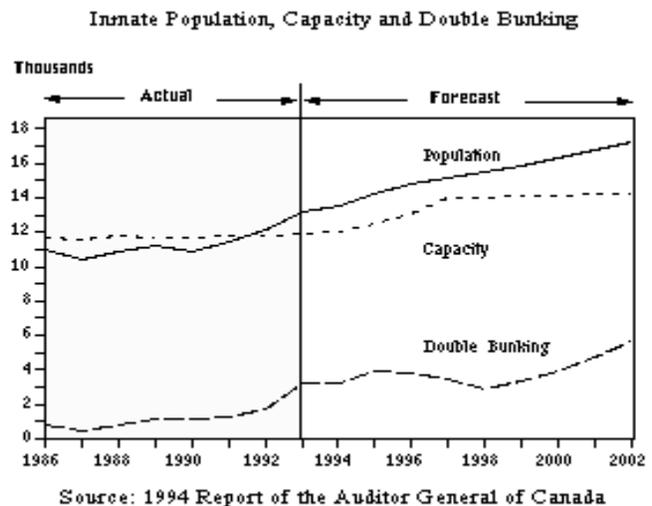
At this time many CSC institutions employed the direct supervision model in which correctional officers work inside living units with few or no physical barriers, and engage in direct interactions with inmates on a regular basis. There are numerous advantages to this model, provided that the facilities utilizing it do so in the appropriate manner. According to research on these types of facilities by Levy and Tartaro, “the creators of the direct supervision model also intended for the inmates to have their own cells or rooms. Single cells or rooms provide inmates with privacy and a place to be free from assaults from other inmates” (2007, 399). An assessment of current conditions within the CSC’s institutions that use this type of supervision model would suggest that the intended population management plan for these facilities is no longer being followed, despite a continued dependence on the original physical infrastructure.

With all of this in mind, this paper will address the foreseeable consequences that will arise as a result of double bunking. As will become evident, the position held by the Union of Canadian Correctional Officers - Syndicat des agents correctionnels du Canada - Confédération des syndicats nationaux (UCCO-SACC-CSN), is one that is shared by many other academics and professionals in the field of corrections: **Double Bunking is an unsafe, ineffective means by which to address a population management, and will inevitably prove problematic for correctional officers, correctional staff, offenders, CSC and, finally, the general public.**

## History

Despite recent changes to CD 550, which as discussed above permits two offenders to be housed in a single occupancy cell, double bunking as a response option to overcrowding is by no means a new phenomenon. Population management issues have been an ongoing problem for CSC since its inception in the late 1970's. In the *1986 Report of the Auditor General*, double bunking is evident, although in minimal numbers: "In February 1986, 780 inmates were double bunked, constituting approximately 7 per cent of the total inmate population." At the time, these space constraints were a result of burgeoning inmate populations, coupled with fiscal constraints from the previous year. However, the Service was quoted in the report as acknowledging the problem: "CSC is monitoring the double bunking situation in the institutions and has identified a number of solutions to alleviate the problem."

By 1994, the issue of overpopulation, and double bunking had become an indisputable problem for CSC. In the *1994 Report of the Auditor General*, it was recognized that "between 1986 and 1993, although CSC's inmate population grew from 10,500 to 13,200, its own cell capacity increased only from 11,656 to 12,061." Furthermore, the Auditor General suggested that "it is very difficult for the Service to project accurately the future inmate population." In



reflecting upon CSC's predictive models from 1994 (see chart), the Auditor General was correct in suggesting population projections may be inaccurate, however, the CSC actually overestimated what their accommodation requirements would be within a decade. Despite future population forecasts miscalculating capacity requirements (predictive estimate of 17,000 inmates by 2002, versus actual national population of 13,531 in 2010), new construction endeavours still failed to meet spatial requirements. Nevertheless, the CSC remained committed to the ideal of one inmate per cell, as reflected in its planned building projects, and promised that the problem of double bunking was only temporary. It was also at this point that the Auditor General first

acknowledged that this issue was one that must not be addressed exclusively by upper CSC management, but should include input from employee unions, and that their concerns would have to be addressed in the search for a viable solution (Auditor General of Canada, 1994).

Looking ahead a decade to 2004, the CSC, along with other members of the former the Minister of Public Safety and Emergency Preparedness, had made significant strides to address the problem of double bunking. The dilemma appeared to have peaked in July 2002 when the national average of double bunking had ballooned to 12.1%. In the *Annual Report of the Office of the Correctional Investigator 2003-2004*, Correctional Investigator Howard Sapers reported encouraging progress on the issue, and as of January 2004 double bunking looked to be on the decline, dropping to 6.3%, its lowest number in several years (2004). Given the CSC's assessment within the report that "problems of personal safety, institutional security and effective supervision necessarily arise from double occupancy of cells," it was encouraging that double bunking appeared to be on the decline which the CSC recognized when they subsequently promised that future double bunking would be "permitted only where absolutely necessary" (*Annual Report of the Office of the Correctional Investigator, 2004*)

In the present era of corrections, we see that despite the CSC's continued affirmation that double bunking is "inappropriate as a permanent accommodation measure within the context of good corrections" (*Policy Bulletin 315, 2010*) and the correctional investigators warning that "given high rates of mental illness, drug addiction, violence and criminal gang membership, it is difficult to see how double-bunking can be viewed as a correctionally (*sic*) appropriate or sustainable solution to crowding pressures in either the short or medium terms," (*Annual Report of the Office of the Correctional Investigator 2009-2010, 2010*), the direction has been to implement policy change to allow for an increase in the practice. Granted, the CSC has little control over the projected influx of federal inmates. The reality of recently implemented policy, primarily Bill C-2, the *Tackling Violent Crime Act*, and Bill C-25, the *Truth in Sentencing Act*, is that convicted criminals receiving longer sentences, and remain incarcerated in federal custody for more prolonged periods of time than in the past. As discussed above, the Federal Government has committed to an increase in fiscal expenditure to fund prison construction projects across Canada; however, the benefits of these projects will not be reaped for several years and as such, the CSC has been forced to make changes to Commissioner's Directive 550 regarding inmate accommodation. These changes have

granted institutional warden's the authorization to increase double bunking levels to upwards of 20% of the overall regional rated capacity (Policy Bulletin 315, 2010).

In the next section, this paper will address the accuracy of the recent assertion by Vic Toews, the Minister of Public Safety, that "double-bunking in Canadian prisons 'is not a big deal' (*National Post*, May 4, 2010)." Contrarily, as an overview of the affects on double bunking will show, these conditions do have adverse effects on incarcerated individuals, as well as those who work in such environments, causing undesirable impacts on their mutual health and safety, and as well, the security of Canadian correctional institutions.

### **Double Bunking - Effects on the Security of Institutions, Offenders & the Public**

A review of the *Correctional and Conditional Release Act*, 1992, yields a set of principles for which the CSC, as an organization, is committed to. Among others, the CSC states within these principles that it is committed to ensuring "that the protection of society be the paramount consideration in the corrections process" and "that staff members be given good working conditions." CSC actively seeks to achieve these objectives, as described in the mission statement, through "exercising reasonable, safe, secure and humane control." Yet a review of available literature relating to double bunking suggests that the CSC population management endeavours may be resulting in outcomes that fail to satisfy the goals it sets out to accomplish.

The goal of any correctional official is to help create an environment in which offenders can work towards rehabilitation and become law abiding citizens. However, recent academic research completed by Dr. Craig Haney, a professor of psychology at the University of California, suggests that situations such as double bunking, and overall crowding in prisons in general, is creating "a major source of administrative problems and adversely affects inmate health, behaviour, and morale" (Haney 2006, p. 2). For many offenders, this type of environment may in fact prove to be criminogenic, effectively resulting in offenders being released into the public who have the same, if not greater, propensity towards crime than when they were first admitted. These dynamics have also yielded greater instances of victimization. For instance, as the ratio of correctional officers to inmates decreases, officers experience a greater amount of difficulty when trying to identify problems within the population, causing a decrease in available protective recourse which has been proven to result in an increase in sexual violence (King, 1992).

As described above, crowded prison environments often result in a change to predictable offender behaviour. Further to the point, evidence has shown that these surroundings may also alter the relationship between correctional officer and offender, specifically the manner in which interactions between these two parties tend to occur. In CSC's 2008 *Report of the Task Force on Security*, a focus on safety served as one of the primary components. In particular, dynamic security or, as CSC describes, "those elements that contribute to the development of professional, positive relationships between staff members and the offenders with whom they work" are of distinct importance. Yet as evidence by Desmond Ellis shows,

"As population density increases within a prison, correctional staff become more reliant on static security measures. Static security measures constitute aversive forms of control. These unlike positive forms (dynamic security measures) tend to be more closely associated with escaping and/or avoiding detection than with either inhibiting violent behaviour or behaving in alternative way. Given a congregate inmate society, security measures are less effective regulating deviant behaviour. These less effective social control measures tend, to an increasing degree, to replace reliance on dynamic security measures as social density increases. One consequence is an increase in violent forms of deviant behaviour." (Ellis, 1984, p. 291)

Thus, by increasing inmate populations through the practice of double bunking, CSC is placing correctional officers in situations where they are more likely to discharge their duties in ways that are at odds with the service's security priorities.

When the focus broadens to investigate the effects of population increase beyond that of an institutions rated capacity, studies have shown that the additional physical demands on infrastructure cause premature decay of correctional facilities, and can result in correctional staff working in unsafe conditions. In fact, in a study of the management of overcrowded institutions, one of the most reported concerns for correctional staff was the rate at which their facilities appeared to be deteriorating when occupancy rates exceeded 100% (Cox & Rhodes, 1990, p. 126). Thus, despite the Federal Government's commitment to build several new facilities, the rate of deterioration to existing facilities in the interim remains a question. Further mitigating this issue is the fact that CSC penitentiaries are already on average nearly 50 years old (*CSC Review Panel*, 2010), with the future operations of several in question already. Therefore, if plans to increase double bunking of existing facilities at a rate upwards of 20% come to fruition, the cost associated with maintaining these facilities, especially

those such as Dorchester, Kingston Penitentiary, Stony Mountain and Saskatchewan Penitentiary (all of which are over one hundred years old), will increase significantly.

### **Double Bunking – Effects on Health of Correctional Staff and Inmates**

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As discussed above, the practice of double bunking creates a set of circumstances in which the physical security of correctional institutions is adversely affected. However, there is also substantial evidence that such environmental constraints within these facilities are detrimental to the mental and physical wellbeing of those incarcerated, and working, within it. For example, a report by the Canadian Criminal Justice Association states that this atmosphere leads to “increases in stress and potential danger for both staff and inmates,” and that as a practice, “double bunking is inhumane and infringes upon the basic human dignity of staff, inmates, and volunteers” (*Canadian Criminal Justice Association, 1985, p. 2*).

Once more, as documented in a review of U.S. state prisons, as population sizes increased “suicide rates for all inmates and deaths rates for inmates over 50 increased over three times the rate of population increase; and there were dramatic increases in disciplinary infractions” and conversely that “after a court ordered decrease of 30% in the population of one prison, the rate of inmate on inmate assaults dropped 60%. Attempted suicides and self-mutilations followed a similar course.” (Cox, Verne, Parlus, McCain, 1985, p. 1149) Given the CSC’s commitment to suicide prevention through proactive staff intervention as well as a strategic focus on mental health, the next logical course of action would appear to be prevention through appropriate population management.

In reviewing the International Centre for Criminal Law Reform and Criminal Justice Policy document Strategies and Best Practices against Overcrowding in Correctional Institutions, it is evident that the health related problems associated with double bunking will affect correctional officers as well. The report documents the overcrowding increases the risk faced by those in correctional institutions of contracting HIV/AIDS and infectious diseases such as tuberculosis, as a result of poor hygiene, as well as drug use and lack of supervision. The report goes on to state that in addition to increased exposure to communicable disease, there is also the “increased likely of violence, fires, accidents and other hazards” and that “this may contribute to a loss of staff morale and to high turnover of personnel” (International Centre for Criminal Law Reform and Criminal Justice Policy, 2009, p. 24). Since a significant portion of the duties assumed by

correctional officers involve direct contact with offenders, as well as the physical manipulation of their personal effects, including weapons and drug paraphernalia, any further increase in the density of the offender population would reduce the margin for error in the duties performed by correctional staff, in an environment where minor mistakes can result in significantly harmful consequences to their health.

Whereas increases in direct physical contact are conducive to higher rates of exposure to infectious disease, an increase in negative interpersonal interactions has the potential to cause adverse affects to the psychological wellbeing of those in such a setting. This premise is also well documented across various fields of social research. For instance, referring again to Cox & Rhodes' study of correctional staff opinions regarding overcrowding, they found that individuals working in these environments are more adversely affected by the inherent stress than even the threat of physical violence, possibly due to the ever present tension in their workplace (Cox and Rhodes, 1990, p. 127). In another study of environmental factors causing detrimental effects on officer health, Morgan, Van Every and Pearson, cited research that overcrowding was significantly related to officer burn out. They go on to state that these effects were further amplified particularly in crowded sectors of the institutions: "living areas (i.e., cell houses) are typically viewed as high-risk areas in a penitentiary setting. Officers assigned to these workstations may experience increased stress due to a sustained need to be 'on guard,' thus resulting in occupational burnout" (Morgan, Van Every, Peason, 2002, 148).

In general, the detriments to working in such physically and mentally taxing surroundings are well documented, especially in the field of corrections. Working in a properly staffed, reasonably populated penitentiary does little to reduce the inherent environmental stressors, but when overcrowding and double bunking becomes the norm, it is of little surprise that employment in the field of corrections is well linked to "high levels of [staff] turnover, dissatisfaction, alcoholism, divorce, psychological distress, and a life expectancy of 59 years" (Tracy, 2004, p. 511).

### **Double Bunking – Effects on Violence within Penitentiaries**

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A review of available literature on the relationship between violence in institutions and overcrowding, double bunking and various other factors yields mixed findings. For instance in *The effects of a rapid increase in a prison population: A pre- and post-test study*, a study by Bernadette Pelissier, there was no relationship observed between a

rapid increase in population and a deterioration of inmate behaviour or increased violent incidents. Similarly, in *The impact of density on jail violence*, a study by Christine Tartaro, there was no relationship observed between special density and a increased violence in penitentiaries.

However, despite some findings to the contrary, there is a significant body of academic research and expert opinion which do acknowledge the relationship between population levels and violence within institutions. Researcher Joan McMullen sums up the predicament of double bunking succinctly in her study *Prison Crowding and the Evolution of Public Policy*, where she observes that “without stringent classification and unaffordably close supervision, shared quarters offer the constant risk and frequent reality of victimization ranging from routine assault and rape to more sophisticated forms of brutality” (McMullen, 1985, p. 35). Academic studies aside, this relationship has been acknowledged within the CSC for several decades as evidenced in the 1986 report of the Auditor General of Canada which reported that:

“The CSC officials we interviewed indicated that the negative effects of double bunking - increased risk of violence, for example - become more significant as double bunking increases. These effects include insufficient opportunities for education, training, and employment of inmates, and restriction on personal space, resulting in disruptive and aggressive behaviour by the inmates.”

This position is still maintained by Federal Government officials to this day. As reported in the *Annual Report of the Office of the Correctional Investigator 2009-2010*, correctional investigator Howard Sapers postulates that “as population pressures increase, we are likely to see increased incidents of institutional violence” (*Annual Report of the Office of the Correctional Investigator 2009-2010*, 2010). The United States director of the Federal Bureau of Prisons, discussed similar findings when he testified that “correctional administrators agree that crowded prisons result in greater tension, frustration, and anger among the inmate population, which leads to conflicts and violence” (Lappin, 2009). Opinions held by high ranking officials in both Canada and the U.S., who possess considerable knowledge in the field of corrections, would suggest further investigation into these conditions would be prudent.

In the realm of academic research there is, as discussed, a great body of work recognizing the problem of violence as a consequence of an increase in double bunking and overcrowding. In testimony before the national prison commission in the United States, Professor Craig Haney referred to several studies that found the effects of

overcrowding on younger inmates were especially prominent. Findings suggested that as the average age of a population decreased, the amount of disciplinary infractions and assault rates increased, and that overall, there was “a significant association between density and total assaults and assaults on inmates” (Haney, 2006, p. 7). The same evidence has been found in studies of perpetually overcrowded prisons in South Africa, which state that “as prisons become more overcrowded, inmates tend to report higher levels of assault” and that a “prison-by-prison comparison clearly shows the positive relationship between reported assault and overcrowding.” (Barmore, 2009, p. 3) The consequences of these conditions are evident in the finding that “placing more men in the same number of cells creates harsh living conditions that ignite into violence and increase gang power” (Barmore, 2009, p. 3). This correlation was further supported in research, specifically in regard to the impact on correctional staff, which recognized that as a predictor, special density was significantly related to inmate on staff violence (Sechrest, 1991, p. 218).

There do, however, appear to be several plausible explanations for the increase in violence related to overcrowding and double bunking. The first consequence of double bunking is a reduction of available resources, both spatial and tangible commodity, which is addressed by J. Johnston in that “the unavailability of resources can have twofold consequences. One is the frustration or unpleasantness of being limited or denied a resource, and the other is the fact that competition and conflict over limited resources often lead to aggression and violence” (Johnston, 1991 p, 18). This position is echoed by Ellis, who found that “in addition to the degree of scarcity, the nature of the things made scarce also influences the probability of violent behaviour. (Ellis, 1994, p. 294). Since the degree to which CSC can increase resources is limited due to the environmental constraints associated with double bunking in facilities with fixed spaces, available research would suggest that there will almost inevitably be more competition for such resources, likely in the form of undesirable behaviour.

The second explanation for the increase in violence as a consequence of overcrowding is that the ratio of inmate-to-staff and the number of inmates relative to a facilities capacity begin to shift in favour of the inmate in both instances. Testimony by Lappin supports this premise in that the above ratios are “important factors that affect the rate of serious inmate assaults” and that “such overcrowding overwhelms prison guards and leads to increased rates of serious violence among the inmates” (Lappin, 2009, p. 3). Lappin then further explains the importance of the relationship of an institutions staff-to-population ratio:

“Our analysis revealed that a one percentage point increase in a facility's inmate population over its rated capacity corresponds with an increase in the prison's annual serious assault rate by 4.09 per 5,000 inmates; and an increase of one inmate in an institution's inmate-to-custody-staff ratio increases the prison's annual serious assault rate by approximately 4.5 per 5,000 inmates. The results demonstrate through sound empirical research that there is a direct, statistically significant relationship between resources (bed space and staffing) and institution safety.” (Lappin, 2009, p. 3)

This is especially relevant to the current situation within CSC in that although media releases suggest they are committed to hiring additional employees to address staffing in new facilities, there is no indication whatsoever that there will be additional security staff positions to existing facilities whose populations are already expanding well beyond the capacities they are rated for, as a direct consequence of double bunking policies.

## **Conclusion**

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There is little disagreement among correctional officers that working within correctional facilities is inherently dangerous. Yet most would agree that the occupational hazards associated with these surroundings can be mitigated through the implementation of sound policy and sensible administration decision making, with a focus on staff safety and facility security.

As is apparent from a review of available literature on the topic of double bunking and overcrowding within correctional facilities, re-examining the population management techniques made available by amendments to Commissioner's Directive 550 would be prudent when considering the interests of the public, incarcerated offenders, and correctional staff. While this method of addressing mounting demands on limited space may provide a 'temporary' solution, the pitfalls of such an approach—detrimental effects on the health of staff and offenders, escalating strain on infrastructure, shifting from dynamic to static security measures, just to name a few—are not worth the short term gains. Although the CSC's role, as a key member of the Ministry of Public Safety, is to respect the sentencing decisions handed down through the judicial system and maintain fiscal accountability to taxpayers by way of practical appropriation of public funds, the safety of the public must remain the primary goal of the service, along with ensuring the wellbeing of those working and residing within its facilities.

If the CSC will not commit to changing its stance on double bunking and overcrowding, then it must change its philosophy on dealing with the outcomes of its decisions. In the past, when amendments to, or implementation of, policy have led to outcomes where accountability is sought, correctional officers have often played the role of the public scapegoat. Should the predictable consequences of the policy examined in this research paper come to bear in Canadian correctional institutions, officials within the government and the CSC must be prepared to accept full responsibility. If CSC remains committed to overcrowding its institutions, correctional officers should expect to see amendments to the core values (sharing ideas, knowledge, values and experience), professional values (awareness of our many clients, what they need from us and how our outputs and results correspond to those needs), people values (respect for the dignity and worth of others), and ethical values (willingness to take responsibility and to be accountable) outlined in Commissioners Directive 001.

Furthermore, if the CSC intends to fulfill its commitment to protecting the wellbeing of staff, inmates and the public, fundamental changes will be required to existing

guidelines surrounding inmate accountability, with an increased focus on controlling offender behaviour through meaningful consequences and penalties when disciplinary infractions inevitably increase. The CSC must also make a commitment to address requests from correctional officers for the necessary tools to do their jobs effectively, and to do so in a timely manner. The changes reflected in these amendments to legislation and policy will quickly impact correctional environments across Canada, and the lackadaisical responses seen in the past to requests by correctional officers for essential equipment needed to safely complete their duties, will no longer be acceptable.

Finally, both the Correctional Service of Canada and the Government of Canada must publicly state what these changes to policy and legislation truly mean for Canadian citizens:

- A new correctional philosophy will be necessary;
- Should the overcrowding of Canadian correctional facilities continues, the days of rehabilitating and re-socializing offenders will disappear;
- The public will need to lower their expectations of offenders upon completion of their sentence;
- The focus of the Correctional Service of Canada will no longer be corrective, that it will now be solely committed to warehousing criminals until they are released back into the community.

In the end, correctional officers across Canada are forced to work in an environment that is shaped by the policy and legislation put forth by CSC and the Government of Canada. It is time for CSC and the Government of Canada to acknowledge the legitimate concerns voiced by those who work on the front line and who are the first to experience the negative consequences associated with changes to the management of increasing inmate populations.

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