

Ministry of the Solicitor General

Support for Families Following a Death in Custody

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Family Support Liaison

Hello

- Robinson Huron Treaty (1850) area in Northeast Ontario.
- Family Support Liaison, part of the Human Rights Unit for provincial-level adult corrections in Ontario.
- Experience as a Social Worker, Professor, Clinical Therapist, Crisis Negotiator, and Probation and Parole Officer
- Mother, Daughter, Sister and Auntie



My Hopes for the Next Hour

- To increase your awareness of the **Family Support Liaison** program,
- To increase your understanding of the complex needs a family may experience following a death in custody,
- To provide you with information and strategies for enhancing your own work with families,
- To learn from you, your questions, and the thoughts that you share.

Deaths in ON Provincial Adult Custody

- Most people in ON provincial custody are awaiting trial.
- Definition of deaths ‘in custody’ is complex.
- While numbers vary year-to-year, they experienced a peak in 2021.

Thinking About the Experiences of Families

What are some of the feelings a person might experience when a loved-one is incarcerated?



Families of Incarcerated People

- The experiences of family members are an often overlooked by narratives that focus on victims and offenders.
- For many, being the family of a person in custody can mean grappling with feelings of stigma, isolation, and powerlessness.
- Families may feel unsure about how to navigate processes and systems related to police, courts, and custody.

What are some factors that might make grief more complex?



Factors That Can Make Grief More Complex?

- Unexpected
- Lack of information
- Feeling grief is invisible or invalidated
- Typical avenues of grieving are not available
- Not having control over privacy while grieving
- Having had a complex relationship with the deceased

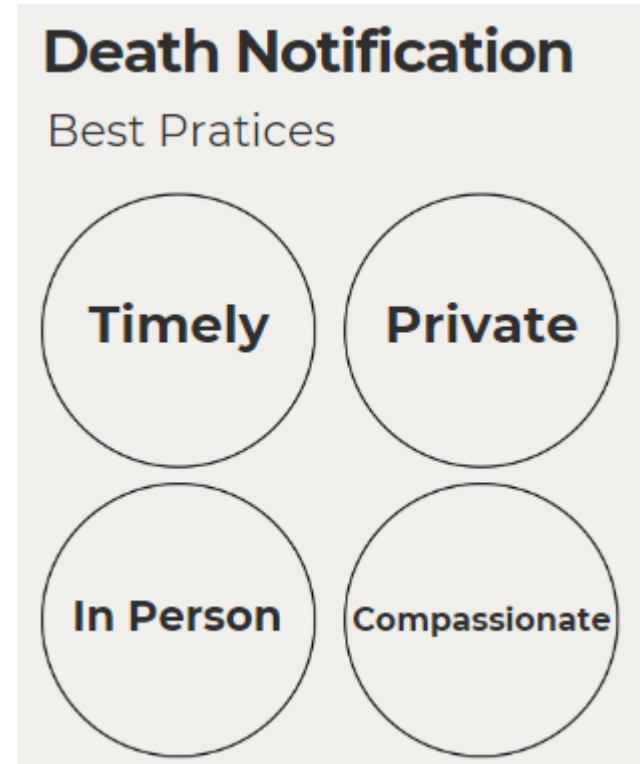
The Development of the FSL Program

- Launched in Spring 2022
- Development included a period of consultation with affected families
- Influenced by Trauma-Informed Theory
- Draws upon internal and community resources to support the needs of affected families.

When a Death Occurs

When a Death Occurs: Notification

- Local police service is notified
- Institution and police seek Next of Kin information
- Next of Kin notification completed by police
- The immediate notification is private to next of kin, giving them power over how, when, and with whom they share that information, though later both identifying and non-identifying information may be publicly available.



When a Death Occurs: Investigations

Investigation	Legislative Authority	To Understand	Information Requested Through
Coroner's Death Investigation	Coroner's Act	The cause of death	Coroner's Office
Police Investigation	Criminal Code of Canada	If the death was criminal in nature	Municipal or Ontario Freedom of Information Process
Correctional Services Oversight and Investigation (CSOI)	Ministry of Correctional Services Act	Whether staff of the correctional facility followed policies and procedures before and after the death	Ontario Freedom of Information Process

When a Death Occurs: Coroner's Inquests

- Coroner's Inquests are public hearings that review the circumstances around a death to make recommendations to prevent similar deaths in future.
- The recommendations are made by a jury of five people from the community where the death occurred.
- A Coroner's Inquest is Mandatory for any custody death that is the result of non-natural causes.
- Where a custody death is the result of natural causes, it is up to the coroner's discretion whether to call an inquest. In deciding this, a Coroner will consider any requests made by family.
- For families, the feelings around inquests can be complex.

When a Death Occurs: Role of the FSL

Complete outreach to the family soon after notification.

Become point of contact for questions for the institution.

Provide information on contacting coroner, and navigating next steps around cremation, burial, and funeral, and related financial assistance options.

Arrange for the release of the deceased's property to the next of kin.

Provide information on the investigations taking place, and the processes for requesting information from each.

Check-in with the family at key intervals, offering information on local support services where needed.

Lessons Learned in the Building of the FSL Program

1: Have a Broad Definition of 'Family'

- 'Family' can have many different meanings, and these meanings can vary across cultures and experiences, such as biological family and chosen family.
- Incarcerated people may have experienced individual and/or systemic disruptions to their family unit.
- With these things in mind, the FSL program embraces a definition of family that has been used at various times by the United Nations and Correctional Service Canada; defining family as **"a group of individuals who are related by affections, kinship or trust."**

2: Accept People Where They Are

- Respect that people have the right to anger, and that people experiencing grief, shock, and trauma, may communicate in ways that can be difficult to receive. Be mindful of tone policing.
- Respect that people may not trust you, and that they may have come to this conclusion based on valid experiences.
- Consider the dignity and humanity of the people you serve, and their families.
- Be conscious of language and beliefs that perpetuate stigma.

3: Recognize the Diversity of Families

- Every person who passes away in custody had their own unique gifts, talents, and meaning to their families and their communities.
- Every person's family has their own unique needs and preferences.
- Avoid assumptions around what a family's wishes might be based on your experiences with other families.

4. Practice Honesty and Transparency

- Practicing honesty and reliability are cornerstones of Trauma-Informed practice.
- Consider that people you support may have had experiences where others have been dishonest with them, and this has been harmful.
- Be honest in your interactions and be transparent when you do not know or cannot provide information.

5: Listen to the Teachings of Grieving People

- I value the time that I have with my loved ones.
- I take pictures of my family.
- I think about end-of-life planning.
- I pay attention to my wellness, and times when I need support.

Thoughts or
Questions?



Contact Information

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