

*The Paul Callow Files: A Documentary Review*

Compiled by Professor Michael Jackson, Q.C.  
UBC Faculty of Law

June 5, 2007

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*NYTimes Editorial* March 13, 2007

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## **Introduction**

Paul Callow was released from Mountain Institution in February 2007 having spent every day of a 20 year sentence in prison. He had been sentenced to 20 years after pleading guilty to five rapes committed in Toronto in 1987. In each case he had gained entry to his victims' apartments by climbing up onto their balconies and for that reason was referred to as the “balcony rapist”. At the time of these convictions Mr. Callow already had a lengthy criminal record, including a previous conviction in 1978 for rape for which he received a four-year sentence. There is no doubt that at the time he committed the balcony rapes Paul Callow was a very dangerous man. If at the time he was released back into society in 2007 he had not changed, women would have every right to be extremely fearful for their safety. In the extensive media portrayal of Mr. Callow at the time of his release, based upon information provided by the correctional and law enforcement authorities, he was in fact described as an untreated dangerous sexual offender who has either refused to undertake treatment or not responded to treatment and had shown little or no remorse for his crimes. This portrayal has fanned the flames of widespread public fear and political calls for changes to the law, including indefinite civil commitment of those believed to be dangerous sexual offenders. This portrayal of Mr. Callow is however misinformed and the misrepresentation it reflects not only does a serious injustice to Mr. Callow but to all those members of the public, particularly women, who have lived in the shadow of an abiding fear of Mr. Callow's presence in the community. This document has been prepared to give a better understanding of the changes Paul Callow has gone through over the 20 years of his imprisonment and why the Paul Callow released to the community in 2007 is a very different man from both the person who committed the terrible crimes 20 years ago and the person portrayed in recent media accounts. What follows is taken from official Correctional Service of Canada and National Parole Board documents with my own editorial commentary. I have underlined those passages which are most relevant to (a) Mr. Callow's motivation to undergo treatment and (b) his progress in treatment and specifically (c) his victim empathy (d) his understanding of his crime cycle and (e) his ability to use relapse prevention strategies. In reviewing the documentary record of the correctional authorities I have paid particular attention to the reports and words of the professionals who were directly involved in Mr. Callow's treatment.

## **Mr. Callow's Criminal Record**

Mr. Callow had a serious criminal record even before his conviction in 1987 for the 5 sexual assaults for which he received a 20 year sentence. After a juvenile record for car theft and escape from a training school. his adult record comprises convictions for theft over \$50 (January 18, 1972, 4 months definite and 12 months indefinite), one count of common assault (September 13, 1972, \$50 I-D, 10 days), one count impaired driving and one count fail to attend court (October 20, 1973, \$75 I-D 7 days, and 7 days consecutive), one count of theft under \$200 (\$100 I-D and 30 days), one count of theft under \$200 and one count of loiter by night (May 5, 1975, 4 months on each charge concurrent), one count rape, one count break and enter (April 23, 1978, 4 years and one year concurrent). He was released on mandatory supervision January 22, 1981 and recommitted for violating mandatory on June 2, 1981. On December 21, 1981 he was convicted of one count of possession of stolen property under \$200 and received 14 days consecutive to the sentence he was serving and on December 9, 1982 he was convicted of one count of B&E and theft, one count of attempt B&E with intent, one count B&E with intent, one count possession of burglar tools, two counts attempt to obstruct justice and sentenced to 10 months on each of first 4 counts concurrent and one month on each of last two counts consecutive). He was paroled in 1983.

In 1987 Mr. Callow plead guilty to 5 counts of sexual assault with a weapon. He had also been charged with 5 counts of break and enter, 2 counts of forcible confinement and one count of possession of a weapon in conjunction with the sexual assaults, but these charges were dropped. It is these offences which led to his being called the "balcony rapist"

Mr. Callow committed the first assault by entering the apartment of the victim and covering her head so that she couldn't see him. He then placed a knife to her throat and threatened her. Over a period of half an hour he had sexual intercourse, and performed cunnilingus and other sexual acts.

The second offense occurred in much the same manner. Mr. Callow gained entry to the apartment and proceeded to the victim's bedroom. He had his head covered, and placed a knife to the victim's throat. Over the period of about half an hour he forced her to have sexual intercourse.

Each of the other offenses followed the same pattern, except that for the remaining three the victims were bound during the assaults. In each case Mr. Callow gained entry through the balcony doors. All of the victims were strangers. He received a total sentence of 20 years.

## **Mr. Callow's Prison History**

In 1978, shortly after beginning his first penitentiary term of four years for rape, Mr. Callow was transferred from the BC Penitentiary to the Regional Psychiatric Centre for assessment with the prospect of placement in the sex offenders' ward. However six weeks later he was transferred back to the BC Pen after he indecently assaulted a

female staff member, a psychiatric nurse. The circumstances surrounding this incident are described in a report written on August 22, 1978, the day of the incident, by the victim herself. It reads:

Resident asked writer to enter an interview room to sign a book. He then grabbed a writer from behind in the crotch area. Another resident entered the room and the assault stopped immediately.

Particularly in light of Mr. Callow's serving a sentence for rape, there can be no argument that this incident was a serious assault. However some later reports have given the impression that Mr. Callow's predatory instincts were completely out of control even in a maximum-security prison, by stating variously that Mr. Callow had to be pulled off the victim, and that a passing inmate stopped the assault. Neither of these assertions are true, nor are they supported by the victim's own statement. This clarification is necessary because the incident, which took place in 1978 before he participated in intensive sex offender programs, has been highlighted in media accounts as demonstrating that Mr. Callow in 2007, 30 years later, is still predatory.

### **Treatment at Warkworth Prison 1992-97**

After serving the first five years of his 20-year sentence in Kingston Mr. Callow began intensive treatment for his sexually deviant behavior in **1991** at the Warkworth Institution Sexual Behaviour Clinic. The Clinical Director of the Clinic, gave this assessment in his post treatment assessment, dated **July 14, 1992** :

#### *Denial and minimization*

Denial and minimization of his offending behavior do not appear to be major issues for Mr. Callow. He does not disagree with any of the details of his offenses as described in his file review. More serious is his denial or lack of awareness of his thought process leading up to his offending. He appears to have little insight into his thoughts and feelings, even though he has an excellent memory for most of the antecedent events.

In our opinion Mr. Callow is at the beginning of his work and needs to participate in a good deal of therapy before he will come to a sound understanding of his cycle of offending. In general, men with offense histories like Mr. Callow's particularly those with little insight into their motivations for offending are considered high risks to re-offend. We feel that this assessment applies to Mr. Callow but his apparent motivation to learn more about himself and his willingness to be open about his deviant behavior are positive indicators for future progress.

#### *Victim Empathy*

Mr. Callow said that he no feelings for any of his victims before, during, and after each offence. It seems that throughout most of his life Mr. Callow has only been concerned with meeting his own needs...

There is some indication that Mr. Callow is of late coming to some understanding of how his victims must have felt. He said that he did not believe it was that traumatic an experience until he tried to put himself in his victims' place - feeling secure at home, then somebody breaks in, puts a knife to their throat, and forces intercourse. Mr. Callow said that he realized how he had his victims

under his complete control after a group role play exercise in which one man verbally re-enacted a rape while other group members described what the victim would likely be feeling. He also said that he has become aware about the effect of his obscene phone calls after seeing a television show on the subject in which women described how terrifying it was; "a form of rape over the phone".

As part of the victim empathy component of the group, each man was required to undertake a project intended to assist him in empathizing with his victim(s). Projects ranged from a letter to the victim (used for therapeutic purposes only, not actually sent) to re-enactments of the offence, such as disclosing the offence from the victim's point of view or performing a role play in which group members, playing the man's victim(s), would confront the offender. These latter projects are generally undertaken by individuals who have demonstrated considerable insight into their offending.

Mr. Callow chose to write a letter of clarification to his last victim and write an imaginary response from the victim to him. His letter stated that he did not view her or any of his other victims as living human beings with feelings at the time he committed these offenses, and acknowledged the degradation and trauma he caused her. The letter attempted to assuage the victim's fear by assuring her that he would remain in prison until his chances of reoffending were minimized.

The letter was vague about the specific details of the assault, however, and some of his comments to her showed insensitivity to her current needs. As well, the wording of the letter was occasionally manipulative, encouraging the victim to read past the beginning of the letter rather than throwing it away, and portraying Mr. Callow as a caring individual.

His imaginary letter from his victim was angry and appropriate. It spoke of Mr. Callow's inability to understand in any real sense what he put her through, and mentioned her terror of living alone and falling asleep in her own bed, as a result of Mr. Callow raping her.

Although Mr. Callow has made substantial progress in understanding what his victims and his wife went through, much of his empathy lacks depth. His efforts to recall particular feelings and then to apply them to his victim mark a good beginning to his victim empathy. His understanding of his victims' suffering at this point is largely intellectual, but he may yet develop a measure of genuine empathy if, among other things, he can draw on his own experiences, something at which he has not yet been particularly able.

#### *Treatment progress*

Mr. Callow joined the Longtermers' group on October 7, 1991. He attended 46 of 50 sessions; he missed three because of trailer visits with his wife and one to attend the Alternatives to Violence program.

During the first group session a number of questions were asked of the group members, including "What do you want from group?", "What is motivating you?", and "What are your fears?" In response to these questions, Mr. Callow said that he asked to participate in the group on his own, and he is hoping that he can eventually get a transfer to minimum security in order to be closer to his

family. He said that he had no real expectations, but was willing to learn what he could.

Mr. Callow appeared to be a man of few words, yet when he did speak his remarks were considered, positive, and appeared sincere. He showed both assertiveness and patience, and was willing to ask challenging questions in a gentle manner during disclosures by other group members. He occasionally strengthened his confrontations with examples from his own life. He was willing to reveal his feelings during check in, but expressed them in a rather flat manner; he did not project his feelings nonverbally.

He also demonstrated a willingness to express opinions contrary to those of the majority of the group. Such statements were often helpful in confronting group members who were minimizing their criminal behaviour. When presented with evidence that did not support his position, Mr. Callow generally acknowledged that he was mistaken, rather than stubbornly maintaining his position.

#### *Post-treatment risk assessment*

In our judgment, Mr. Callow's motivation for treatment and behavior change was high... in our judgment, the offender has been able to achieve a high degree of behavior change during his participation in the treatment program... Based on these aspects of his functioning, we would judge his risk for reoffense to be moderate... Based on our clinical impression, his risk for re-offense is high... Based on all of the assessments of risk presented above, we judge Mr. Callow's risk for reoffense to be High

In **1992** Mr. Callow completed a second sex offender treatment program and in an assessment dated **March 3, 1993**, the Clinical Director wrote:

#### *Victim Empathy*

After confrontation from the group that he was having difficulty relating to his victims' experiences, Mr. Callow chose to describe his physical abuse as a child. He said if he thought he was going to get a "whipping" he would crawl under the bed; he said his father would move the bed back and forth, but he would stay under it no matter where it moved. Mr. Callow cried when discussing this. He said he thought it was "normal" and that he "deserved it." He described his mixed feelings toward his father; he stated that he always loved him, but that it seemed strange that he did not cry when his father died. He then added that he "actually did hate him." He said his victims "don't trust men in general."

During the victim empathy portion of the group, Mr. Callow was asked to create a collage depicting how his victims felt before and during the assaults, and how they feel now. He said that before the assaults his victims felt "safe secure, confident, closeness, good, comfortable, carefree, capable of relationships, and happy." He said that during the assaults they felt "shocked, pain, thought why, felt terror, wanted help, felt like a prisoner, helpless, fear, and like a body, not a person." He said now they feel confused, depressed, victimized by police, part of her taken away, alienated, nightmares, drinking, contemplating suicide, have alcohol abuse, feel guilt, shame, confusion and anger."

When excerpts from victims who were raped by people they knew were

presented and reviewed in group, Mr. Callow stated he had a "tough time" relating it to his own victims. He said his "were probably more terrified." After a tape-recorded interview with Elly Danika, a victim of incest, was played for the group, Mr. Callow stated that listening to it made him "angry" and he "wanted to be there and help."

Mr. Callow had a difficult time understanding that his victims could blame themselves. During a discussion of this, Mr. Callow said he accepts responsibility for the crimes, and "can't see how the victims blame themselves." Mr. Callow stated that other victims of his crime include "parents, boyfriends, husbands, employers, society in general, and the way they trusted people in general."

Mr. Callow's list of treatment targets is somewhat restricted because of his limited insight into his offense cycle and his quiet reserved manner in group. It is suggested that Mr. Callow work on emotions and allow himself to feel them as well as say them.

#### *Offence Cycle*

Mr. Callow has begun the groundwork for his cycle, he still has some way to go. Though he was able to identify his thoughts and feelings about deviant events, he could not identify the events, thoughts, feelings, and behaviors leading up to the deviant events... Over the course of the group Mr. Callow appeared to begin to understand the roles power and control played in his offending, and at one point in the group stated that his offending had a "sexual component, but not total."

Mr. Callow was not able to identify the events, thoughts, or feelings prior to his making obscene phone calls or exposing himself. He was not able to state what he got out of doing these.

It is our opinion that Mr. Callow should continue to work on his offense cycle, focusing on connecting links and events preceding his offending....

In our judgment, Mr. Callow's motivation for treatment and behavior change was high. In our judgment, the offender has been able to achieve a Moderate-High degree of behavior change during his participation in the treatment program. Based on our clinical impression, his risk for reoffense is Moderate-High

In **1993** Mr. Callow completed a third sex offender program. The Clinical Director's report, dated **August 22 ,1994**, states:

As there was good agreement between Mr. Callow's version and the official accounts of his crimes, discussion during his disclosure moved to how and why he committed his offenses. His March 3, 1993 report remarked that he needed to work on these issues; this remains the case. Mr. Callow was asked a number of questions about how and why over the course of his disclosure. We will discuss these in roughly chronological order

He talked about his background, stating that he learned early on to repress his emotions in the face of physical abuse from his father and his brothers. He said

that he thought he offended against women because of his anger toward his mother, who decided when he would be beaten. He was asked to relate his upbringing to who he was as an offender. He said that he guessed it was because he was a very angry man with a lot of pain and a need for power and control. He said that he manifested this need by, among other things, abusing his girlfriend in front of his friends. ....

[It is] apparent that Mr. Callow still has substantial work to do with respect to victim empathy, his offense cycle, and implementation of his relapse prevention plan.

Mr. Callow's March 3, 1993 report remarked that he needed to be more specific with respect to his offense cycle; in particular, he needed to work on identifying the links between his life at the time and his sexual crimes. The report concluded that Mr. Callow had limited insight into his offense cycle.

Following his disclosure to the present group, he was asked to summarize why he committed his offenses. The factors he listed included needing to feel power and control over his and others' lives; releasing his repressed anger; releasing sexual energy, which was no longer a part of his marriage; irrational thinking, including the belief that rape was all right; and a feeling of helplessness that fueled his need for power and control.

At the beginning of the Offense Cycle section, group members were given an assignment to write down the seven most important relevant events that preceded their offenses and then write down their thoughts, feelings, and resultant behaviours. Mr. Callow prepared and presented to the group two offense cycles; one a long view stretching back to his upbringing and the other a short view, temporally closer to the offenses. The written version of the short view did not make mention of the offenses themselves, though during discussion of his presentation he did talk about the crimes and his thoughts about the specific factors related to them.

Through the events he listed in his long view and his thoughts, feelings, and behaviours listed with them, Mr. Callow described growing up an angry, emotionally restricted man who begins abusing drugs and alcohol and eventually physically and verbally abuses his partners. He mentioned that his problems with women stretched back into his teenage years; he remarked that he began committing sexual assaults in part because he was depressed, angry and heartbroken after his first love left him because of his abuse of her.

Mr. Callow's written work on his offense cycle suffered from the same restricted scope that plagued his work in past groups. His discussion in the group addressed a number of important factors - distorted sexual thinking; attaching great importance to sex; sexual selfishness; high general stress level and poor skills for addressing it; poor communication and conflict resolution with his wife; blaming his wife for his problems; stereotypical thinking about masculinity; emotional constriction; drinking; feeling powerless and desiring power and control; feeling low, angry, rejected, pressured, frustrated, confused, inadequate; unable to deal with his feelings - but in our opinion he has yet to integrate these into a coherent understanding. We think he is moving in the right direction but has distance to cover. He himself, during group discussion, has talked about the factors he needs to consider, it remains for him to continue to work toward a

better understanding of himself.

Mr. Callow has been incarcerated for a number of years now and has shown himself committed to pursuing treatment. His primary treatment target at present is to work on understanding his offense cycle. This is a broad and multi-faceted target, encompassing work on all of the factors listed in the above offense cycle summary. The necessity of thinking about and consolidating his understanding of these important issues is underscored by his behaviour toward a female Warkworth staff member over the last few months.

On July 19, 1994, a couple of months after Mr. Callow's present WSBC group had ended, the Warkworth Native Liaison officer met with WSBC Program Manager and Mr. Callow's WSBC group therapist, about Mr. Callow's behaviour toward her. Parts of the following information are also mentioned in her May 5, 1994 letter to IPSO about this matter.

She said that Mr. Callow had for some time been paying a lot of attention to her and had made statements to her about his attraction to her. She said that he dropped by her office frequently for (often quite minor) Native Brotherhood or personal issues; he had written her a poem about his fantasy of being married to her; he had given her a pair of moccasins; he had been calling her at her home. She said that she had spoken to him a number of times about his feelings and actions toward her, and had told him that she was not interested in him and wished him to curtail his contact with her.

She said that he had always been respectful in his actions toward her, but had persistently ignored her requests that he not drop by her office so frequently (and later, that he not drop by without an appointment); of most importance to her, he had ignored her demand that he not call her at her home. She felt that he was being very controlling...

Mr. Callow's behaviour indicated to us that he was in his cycle; he was not thinking clearly about who he was, about the appropriateness of his actions toward the female staff member (including his use of control and ignoring her requests), about his feelings or her feelings in this situation.

As a result of Mr. Callow's behaviour, Warkworth administration decided to pursue a voluntary transfer to RTC(O) with Mr. Callow. Before Mr. Callow's departure he met with the clinical director and deputy warden on 94-07-21. He was asked to identify what he had done that was inappropriate. He initially minimized the extent and nature of his interactions with this staff member. However, he became more open as the issue was discussed with him. He indicated that he had been attracted to her but claimed that it was not a sexual attraction. When confronted about this, he was able to accept that the attraction was indeed sexual because he was attracted to her as a woman. However, he insisted that he had never had any sexual fantasies about her. Appropriately, Mr. Callow recognized that he had been under considerable stress as chairperson of the Native Brotherhood at Warkworth at the time and he was aware that his responses were somehow related to this. He indicated that his feelings toward the woman and his inappropriate behaviour had decreased after he had stepped down as the chairperson of the Native Brotherhood.

He was unable to recognize for himself how he had attempted to exert power and control over the woman in various ways and how this related to his thoughts and feelings at the time. When these issues were explained to him, Mr. Callow appeared to accept and to understand the explanation. However, it was clear that he had not identified the issues and the risk factors for himself and had not invoked appropriate coping strategies to manage effectively his thoughts and feelings

Mr. Callow clearly accepted that his behaviour was a lapse. Consistent with our previous observations of him, he had little insight into what his thoughts and feelings had been or how these related to his behaviours. During our discussion of these issues with him, he appeared relatively open and cooperative and was able to focus on long-term objectives for himself. Furthermore, Mr. Callow indicated a commitment to treatment and a desire to learn better ways of controlling his behaviours; he readily agreed to our recommendation that he voluntarily transfer to RTC(O) to provide a time-out from Warkworth Institution and an opportunity to participate in assessment and treatment there.

Mr. Callow's long history of offending and the complex (and relatively unexplored) relationships between factors in his cycle necessitates the development of a broad relapse prevention plan with numerous possible interventions for his high-risk situations. While we consider Mr. Callow disposed to doing this work, his recent lapses leading to his transfer out of the institution demonstrate that he has yet to internalize the relapse prevention work he has done on paper. Continued work on understanding his offense cycle, as called for above, will help him identify high risk situations and get him thinking about avoidances and interventions....

Based on all of the assessments of risk presented above, we judge Mr. Callow's risk for re-offence at post-treatment to be moderate-high.

It is not surprising that given Mr. Callow's offence history and the previous 1978 assault on a female nurse, that the program facilitators raised concerns regarding Mr. Callow's unsolicited attention to the native liaison worker. However, as the liaison officer's own memo of May 5, 1994 makes clear, this incident is quite different from his previous assaultive behavior and Mr. Callow's actions, while crossing boundaries, was described as "very respectful."

Since I've been in the Liaison position inmate Paul Callow has been the Chairperson of the Native Brotherhood. For this reason Callow sees me quite often in regards to social activities for the group. At times it seemed that the reasons he stopped by my office were trivial and could have been dealt with without my input and although he has always been very respectful of me I suspected he might have a "crush" on me. I wasn't quite certain at that point as to how to deal with it. A few days later, in early February, he stopped by my office and handed me a poem that he had written. The poem expressed how he dreamed of being married to me, but other than that was not offensive as far as mentioning anything of a sexual nature. The ending of this poem stated that it was only a fantasy of his and he understood that I did not feel the same way and never would. He asked me if I was offended which I said I was not so long as he

understood that there is absolutely no feelings like that on my part, which he said he understood. I also let him know that I didn't think it was a good idea for him to continue on with that fantasy and I really felt the issue was over. The next day [inmate X] approached me giving me warning of this poem that Callow had apparently showed him. I explained to [inmate X] that I knew about it and that it had been dealt with.

The following day I left town on an emergency and when I returned the next week Callow acted peculiar and wanted to "talk". I instinctively knew that he was having problems with his feelings about the situation. Before he had a chance to say anything I very strongly went over again where I stood on this issue. I was blunt but kind in letting him know that even if I was "looking" for a mate, the men in a prison population setting doesn't exactly offer the attributes that I'd be looking for. He expressed that he felt rejected, but again, said he realized that it was because of the way that he had been thinking in terms of this fantasy. I suggested he use the experience to learn from it in dealing with his feelings of rejection in light of his sexual offence cycle and also suggested that he might want to talk this over with [one of the treatment team] to sort things out.

Several days later Callow said that he was over these feelings and, in fact, had actually gone to the other extreme where he was feeling anger towards me, but that he had worked through that also and he was okay with it. I suspect that he was angry at me not only because of his perception of rejection but because during this time period I was a little harsh toward him in trying to distance him from me. As far as I know, he is still okay with the incident and any problems caused from it remain settled.

It is not unusual for the Liaison and other Native people to give out their home phone numbers to Native inmates for emergency counselling situations. Callow, as Chairperson of the brotherhood did have mine, however, in hindsight I realize it wasn't a good idea in this case. Callow had called me on two occasions that seemed inconsequential, and I did let him know after I realized his feelings for me that he was not to call me at home unless someone was near death.

During this time period I had conferred-with the Regional Programs Director, regarding this issue and decided not to document it as we considered it had been handled in the best way. However, I now desire this to be on file with IPSO.

Again, Callow has always been very respectful towards me throughout this situation.

In **1995** Mr. Callow completed a fourth Sex Offender Treatment Program at Warkworth Sexual Behaviour Clinic. In an assessment dated **July 5, 1995** the Clinical Director wrote:

In his initial interview with his present therapist, Mr. Callow expressed some trepidation about doing another disclosure and addressing victim empathy issues. He reported that his self-esteem deteriorated when reflecting on the harm he had caused others and he wished this could be avoided. Despite his expressed concern, his work reflected favourable achievement in both parts of

the program.

Mr. Callow presented his disclosure to the group on October 6, 1994. He provided a detailed and articulate account of his sexual crimes, including obscene phone calling, exhibitionism, and seven additional sexual offenses dating back to 1977. In addition, he included his behaviour with the Warkworth Native Liaison Officer, as described in his last post-treatment report.

The primary difference between his current and previous disclosures was clear evidence of emotion as he described his sexually offending behaviour. He appeared upset and remorseful; he cried. At one point, he stopped his disclosure to plead with group members to learn from his past treatment experiences and tell the truth during their disclosure. It is our opinion, Mr. Callow accepted full responsibility for his sexually offending behaviour.

Mr. Callow was allowed to co-facilitate a group session with another senior group member, dealing with cognitive distortions related to denial and minimization. He was able to define these and provide specific examples. He demonstrated a high awareness of male and female stereotypes evident in television programs. He reported that his insight made it difficult to enjoy previously enjoyed activities. He assisted other group members in recognizing the stereotypes they continued to utilize.

In the victim empathy part of the program, Mr. Callow actively participated and attended during presentations of other group members and discussions of films addressing victims' issues. He became very emotional during presentation of videos addressing victim empathy. He reported that his victim's emotions may be triggered by watching a wrestling match on television or at Thanksgiving, when a turkey is being carved. He reported his victims may be afraid to leave their apartments; be constantly looking over their shoulder; suffer from nightmares; their relationships and work life may suffer; feel unsafe in their own beds; have many emotional and psychological triggers; be detached from their feelings; may turn to drugs or alcohol; have difficulty trusting others; experience suicidal ideation, and blame themselves for his behaviour. He reported, "victims don't get over it, but they may learn to deal with their feelings". In addition, Mr. Callow wrote a poem describing the impact of sexual assaults on victims which he shared with the group.

Mr. Callow reported that the indirect victims of his crime may be all of society. He seemed to recognize that his children are also indirect victims of his sexually offending behaviour. He reported that he wanted to work on how to tell his children the reasons he is incarcerated.

Mr. Callow's written work in the victim empathy part of the program showed substantial effort and indicated a cognitive understanding of the harm he had caused to his victims. Mr. Callow wrote three letters to his victim in an attempt to address her appropriately. His final letter appropriately absolved her from responsibility. Mr. Callow suggested that he would be open to being confronted by his victims, and recognized that the choice was completely theirs.

Mr. Callow performed a role play portraying one of his victims. During the role

play, Mr. Callow demonstrated a seemingly genuine cognitive and emotional understanding of the harm caused to his victim. He presented as a woman who was confused, hesitant, angry and isolated. He described thoughts, feelings, and behaviours congruent to what a woman living through the sexual assault might report experiencing. After the role play, he indicated he had found the role play difficult. He reported that his feelings were present but he found them hard to get out as his victim.

During the Offense Cycle section, group members were given an assignment to identify historical factors which are not excuses for their behaviour, but may have contributed to the commission of their sexual assault. In addition, each group member is instructed to write down seven to ten important events that preceded their offenses, followed by their thoughts, feelings, and resultant " behaviours. These assignments were discussed within the group and members were given feedback by the group about their work on their offense cycle. Each group member was instructed to revise their description of their offense cycle, then submit the final version to the therapist.

Mr. Callow identified several relevant historical factors which may have contributed to the development of his sexually violent behaviour. Mr. Callow reported experiencing childhood physical and emotional abuse from his parents and siblings. He indicated their actions influenced his perception that nobody cared for him, contributing to his decision not to care about others and to rebel against authority figures. He claimed these events also caused him to feel unwanted and unloved which allegedly lead to his use of drugs and-alcohol to escape these feelings. He reported that his mother denied her aboriginal heritage, causing him to feel ashamed of being native. He reported witnessing domestic violence which influenced his belief that physically assaulting loved ones was appropriate behaviour, consequently resulting in his abuse of a girlfriend at sixteen years of age. He reported approaching his mother for comfort and being shunned, which allegedly taught him to suppress his feelings. He reported that feeling rejected by significant women in his life caused him to "think less of women and maybe even [hate them]"

Many of the historical factors that Mr. Callow identified seemed to influence his self-perception and self-esteem; and contributed to distorted beliefs about women, authority figures, trust, and healthy relationships. We recommend that he continue to examine his past to facilitate the modification of his distorted beliefs about sexuality.

Mr. Callow seemed to demonstrate a fairly accurate understanding of feeling and thinking links in his behavioural chains.

Mr. Callow did extensive work on his offense cycle in his present treatment group. The majority of his homework assignments were geared towards helping him to develop his description of his offense cycle and relapse prevention plan. He continually revised his previous work on his cycle. He began to examine in detail all phases of his cycle, including: build-up, acting out, justification, and pretend-normal.. His effort seemed to facilitate an increase in his awareness of the pre-meditation of his sexual assaults. He reported that his offense cycle patterns were evident earlier in his life than he had previously reported. He

commented that "secret beginnings" were a significant component of his offense cycle. "Secret beginnings, refers to the Safer Society's. definition of a cycle beginning without the offender's awareness.

Throughout treatment, Mr. Callow seemed to be working to maintain a high level of awareness of his behaviour, thoughts and feelings to recognize the beginnings of his cycle. He examined and processed his behaviours in the group when he felt he may be beginning his cycle.... We recommend Mr. Callow continue to work on recognizing the early warning signs of his offense cycle and practice intervening earlier....

Mr. Callow's work in this part of the program was effective and demonstrated strong effort. He has identified a number of cognitive distortions that he used, and demonstrated an understanding of how they influenced his behaviour. Mr. Callow reported that cultural stereotypes about women allowed him to view women as not being real people. He has demonstrated an understanding of the roles power and control played in his offense. Mr. Callow reported he had been engaging in sexually assaultive behaviours, off and on for most of his adult life. The post-treatment report dated, August 22, 1994, suggested previous attempts at his offense cycle did not "adequately convey why he chose the manner of offending he did"; we believe he has begun to address these issues and is continuing to move in the right direction. He has recognized that his behaviours escalated from obscene phone calling to exposing himself to breaking into women's apartments and sexually assaulting them, with the aid of a weapon. It is our opinion, he needs to continue to integrate and consolidate his understanding of his offense cycle, incorporating further the issues identified in his previous report. We suggest that he may be better able to identify the early warning signs of his cycle, if he elaborated on the chains which lead to the obscene phone calling and the exhibitionism.

Mr. Callow presented a relapse prevention plan, listing both internal and external high-risk factors. Mr. Callow identified more than sixty high risk factors. For the purpose of his relapse prevention plan, he reported that his highest risk factors were: feelings of loneliness, anger, and inadequacy; cognitive distortions of blaming, and thinking he is worthless; using pornography; thinking of alcohol; being in his cycle, and deviant sexual thoughts of exposing himself. The high risk situations identified by Mr. Callow were related to the offense cycle that he described.

Mr. Callow provided elaborate intervention strategies, incorporating: visualizing himself in the high risk situation and mentally rehearsing the intervention, using thought stopping, positive self-talk, specific self-statements and contacting his support people. For example, for his high risk factor of feeling inadequate and thinking of drinking, he visualized himself to be diligently looking for work and she thinking his employment opportunities seem bleak, leading him to feel inadequate. He visualizes thinking about how to make himself feel better. He imagines that drinking would make him feel better. He begins to convince himself to drink alcohol. His intervention included telling himself to Stop, and using self-talk, such as, "Going into a bar and drinking is not going to make you feel better. Drinking will only make matters worse. Your thinking is distorted. If you drink Just this once, there will be another and another. You know where this will lead you, if you let your emotions control you. Walk away from the bar Paul. You can and will

walk away. You are not inadequate Paul. You may be having a hard time finding a job but you will find one if you just give yourself a chance. Have a little more patience. Tomorrow is another day. For now give your therapist a call or your sponsor from A.A. and share how you are feeling with them...He appears to understand the concepts related to relapse prevention and has utilized this knowledge in the development of his relapse prevention plan.

Overall, Mr. Callow demonstrated considerable effort in the development of his relapse prevention plan. It is our opinion that Mr. Callow's plan indicated that he understood he is responsible for the choices he makes. He has integrated a number of issues and provided a variety of strategies. We recommend that he continue to develop secondary interventions should his primary interventions fail. We recommend that Mr. Callow continue to develop intervention strategies for the remainder of his high risk factors and continue to practise his coping responses while incarcerated. In addition, as indicated in his last post-treatment report, we continue to recommend that he internalize his relapse prevention plan, and practice intervening earlier in his cycle.

Mr. Callow demonstrated a high level of motivation in his present treatment group. He completed all homework and responded to comments made by his therapist. Throughout the group, Mr. Callow was an active and attentive participant. Many of the group members seemed to seek him out for guidance. During the disclosure process Mr. Callow was observed to approach group members to provide support and appropriate criticisms.

The report dated, August 22, 1994, remarked that Mr. Callow "tends to let discussion about important matters come to him". We noted he has made significant change in this area. He initiated individual sessions with his therapist to explore relevant treatment issues. He demonstrated openness to examining his thoughts and feelings and consistently took risks within the group. He reported an increase in his self-esteem and attributed it to his belief that he was "finally the senior member [he] wanted to be". We interpret his statement to mean he recognized the internal leadership role he played within the group.

Additional treatment targets for Mr. Callow include: continuing to develop and maintain his self-esteem, modifying distorted perceptions about intimacy, sexuality and relationships.

At his post-treatment case conference, we recommended that Mr. Callow complete a final full pre-release group at the WSBC to solidify his treatment gains....

Based on all of the assessments of risk presented above, we judge Mr. Callow's risk for reoffense at post treatment to be Moderate

**In 1996** Mr. Callow was terminated from his next program at Warkworth after he admitted to being sexually attracted to his therapist. The reasons for termination are described in a report by the Clinical Director, dated **June 19, 1996:**

Mr. Callow's involvement in this latest program was terminated on January 19, 1996. This termination resulted from his apparent inability to manage effectively

his thoughts, feelings, and behaviours, after his disclosure to his therapist that he was sexually attracted to her was not reciprocated, but was met with statements regarding professional boundaries.

In his previous treatment at WSBC, Mr. Callow had demonstrated that he was able to use others for support when he chose to. It was our opinion that he needed to develop his ability to challenge his thoughts and feelings on his own. Consequently, from the outset of this group, he was informed that he would receive limited individual meetings with his therapist, as would all other group members. To facilitate his recognizing and challenging his cognitive distortions on his own, he was instructed to maintain a journal for the purpose of recording and challenging his thoughts and feelings. He appeared to have difficulty accepting these limitations and continued to challenge the time limitations of his individual meetings; for example, sometimes he would ask to speak to his therapist individually while the group session was in progress. At times he seemed to have what, at least on the surface, appeared to be appropriate issues to discuss. At other times, he would appear to dramatize situations and escalate them into seemingly critical incidents "requiring" immediate attention.

It appears that Mr. Callow was sexually attracted to his therapist beginning in his previous group and that in the current program he felt rejected by her when she limited the number of individual meetings with him and challenged his negative behaviours in group. When confronted about his actions, he apparently could not understand how his behaviours were attempts to manipulate and gain control of his therapist. He continued to avoid taking responsibility for his own thoughts and feelings, and had no apparent understanding of how his actions were self-defeating. On the basis of information Mr. Callow disclosed, it appeared that during the present program he had sexual fantasies of his therapist and struggled with the tension created by being attracted to her, but thinking that she was rejecting him. Mr. Callow appeared to have interpreted his therapist's behaviour in a distorted manner that was consistent with his own feelings of sexual attraction to her.

Mr. Callow did not seem able to recognize how his behaviour was inappropriate, self-defeating, and potentially dangerous. His inappropriate behaviour was often very subtle and incremental in nature, making it difficult for him to accept that his behaviour was a problem. He was very persistent in pursuing what he rationalized as being reasonable requests or concerns. When confronted about such behaviours, Mr. Callow often justified his actions by stating that he was only utilizing methods which we had previously encouraged him to use. He did not appear to understand how the appropriateness of behaviour is context-specific ..

We believe Mr. Callow requires further sex offender treatment prior to his release. In particular, he needs practice in recognizing the early warning signs of his cycle and in developing effective programmed coping responses as intervention techniques.

While Mr. Callow's admission in 1994 to the native liaison officer and in 1996 to the program facilitator that he was sexually attracted to them was viewed, in the language of sex offender treatment, as "lapses", it is important to realize that neither of these

incidents was accompanied by any overt sexual touching or other inappropriate sexual behaviour. While it is readily understandable that, in light of Mr. Callow's previous offences and in particular the sexual assault of a nurse at the Regional Psychiatric Center in 1978, the treatment team would be concerned about these incidents, the incidents are quite different in character from the 1978 incident and did not constitute part of a pattern of continuing predatory behavior.

Following termination from what was his fifth program Mr. Callow was referred for a psychological assessment to "ascertain whether or not there are issues interfering with a sex offender treatment and whether or not Psychology could offer individual counseling sessions until a decision is made about subsequent sex offender treatment". In a Psychological Assessment dated **February 20, 1997**, Dr. C.D wrote:

Mr. Callow has completed one Long Termers Program and three Pre-Release Programs at WSBC and was terminated from the most recent program after he admitted to being sexually attracted to his therapist. Mr. Callow appears to have a thorough knowledge of his offense cycle and pertinent issues around his offending. He has learned cognitive/behavioral strategies to restructure his thinking related to his offense cycle and has been an active and successful participant throughout most of the groups. He has done prescribed homework quite diligently and methodically most of the time.

Yet, when he found himself attracted to his therapist, he failed to successfully put what he had learned into practice. He stated to this writer that he "chose" not to apply the techniques learned. He indicated that he should have used "disputes", that he should "have checked out" his assumptions but instead he tried to "justify" his actions. He made this choice in response to heightened emotional arousal, in response to his perception that people were lying to him and in response to his belief that he was being rejected by his WSBC therapist. He reacted with emotional intensity and this reveals that Mr. Callow has yet to deal with some personal issues possibly related to his own victimization. His criminal values, beliefs and disregard for social norms have also contributed to his reaction to the situation.

Retrospectively, he has gained intellectual knowledge of his emotional reaction to the events around his attraction to his therapist. He has also recognized that he felt strong emotions of lack of trust towards [some ] WI staff members. He recalled disbelieving people, thinking they were lying to him and decided to question everything about WSBC (its budget, credentials and so forth). Although he did not agree with the decision to segregate him at the time, he now admits that this was the best decision staff could have made given the information they had.

**Treatment recommendations:**

In this writer's opinion there are two aspects of treatment that should be addressed before another pre-release sex offender program is offered to Mr. Callow:

1. Mr. Callow's emotional baggage is probably impeding further progress and therapeutic gains. Ideally, addressing such emotional issues should be done in a

group setting for adult survivors of emotional and physical abuse and followed by one to one intervention. However, since such groups are not available at WI or anywhere else in the Region to this writer's knowledge, individual work could be considered.

2. Beside his involvement in sex offender treatment, Mr. Callow has participated in Life Skills, Anger Management where he received a final grade of 60% and a Native substance abuse program. It was recommended by the Anger Management facilitator that "...he could benefit from further groups dealing with personality development". I would concur with the need to address personality functions. I would encourage a participation to Cognitive Skills to address some of the criminally related factors. As well, a referral to the Personality Disorder Treatment Program at R.T.C. (O) for assessment purposes and treatment recommendations would be appropriate and this could be investigated at some point prior to release.

Unfortunately, his struggle to remain in control combined with his lack of trust, his entrenched antisocial personality features and the tendency of people with his personality profile not to favor a psychological explanation to the problems they are experiencing, make it very difficult for him to benefit from treatment to the fullest. For these reasons, the prognosis is guarded.

I would agree with the need to provide Mr. Callow with a final pre-release program to address the sexual offending prior to release.

Despite his termination from the sex behaviour clinic program, Mr. Callow completed the Aboriginal Life Skills Training Program in **September, 1996**. This program provides culturally appropriate tools that are required to allow the Aboriginal offender to understand and change self-defeating behaviour that leads to antisocial or criminal activity. The main goal of this program is to assist the offender in gaining understanding on how to take responsibility for one's own actions. According to the Program Performance Report ,dated **October 18, 1996**, Mr. Callow was highly motivated to take the program. He stated that what he felt he needed from the program was to learn whatever else he could about himself and his culture, a better sense of identity, further personal growth and to increase his knowledge about native ways in general. Mr. Callow was only one of two in the entire group to be able to "draw out" traditional value-related ideas pertaining to money, the environment, and relationships. It demonstrated that Mr. Callow has developed some healthy viewpoints regarding these subjects.

According to the Program Performance Report Mr. Callow has a good grasp of the importance of setting long and short-term goals. "He understands how to make conscious choices throughout each day in order to have more control over the direction of his life. Mr. Callow has gained insights about himself. He claims to have gained a different perspective on how he has misused his natural abilities in the past"

In **1997** Mr. Callow, while still at Warkworth Institution, completed the Aboriginal Substance Abuse Program. In the final program performance report, dated **April 7, 1997**, the program facilitator ranked his performance as excellent and wrote:

Paul displayed openness to land in all areas. He was able to identify the similarities between self destructive behaviors and relate the behaviors to sexual

and substance abuse. He also expressed his understanding about how repressed anger can be missed directly to innocent people in the form of sexual assault... Paul has made many gains prior to this program, yet he continues to remain open to programs and self-help material that provide the tools to make positive choices. For a number of years now he has avoided being around people who are substance users. He states that his attitude changed in that he no longer of use such people as friends, but as a threat to his sobriety

In a post-release interview with Mr. Callow in April 2007 he described the changes he went through in his own understanding of his offences over the Warkworth years:

“At the beginning of treatment at Warkworth in Ontario I was, I still had very little self-esteem and when I began treatment I still had a very low level of education. I really didn’t understand the program that much. I really didn’t believe in it, really to begin with, in the first time through the Program. I didn’t have much of an understanding, I got to admit, when somebody asked me a point blank question, ‘Paul, why’, I understood what they meant but I said, “I have no idea. I really have no idea.” I believe now from the programs that I’ve gone through the more I learned and the more seriously I took the programming, and the harder, the bigger the effort I put into it, the more I got out of it. And the more I learned about myself and what led to my behaviour and my thought process prior to committing the offenses. I didn’t understand how big of an impact my childhood could have on my adult life. And in bringing up my childhood and discussing not just physical but psychological abuse from my family, and being being whipped by my father, the psychological abuse from my mother, being used as a punching bag by my older brothers, I came to understand the effect it had on me as an adult. I think it contributed to a lot of the anger that I had and I believe that anger and power and control were the two main issues to do with my offending. I think anger played a big role in my offending and I believe my anger was mis-directed. I believe a lot of my anger came from my childhood. I believe I’m a product of my environment. And like I say as much as I don’t want to blame my life on what I’ve gone through, I can look at it and say how it had an effect. You know I was in my forties when I first started dealing with these issues. And I couldn’t believe the emotion - my whole body was shaking, the tears that arose when I described the abuse of my father. And working through these issues helped to alleviate a lot of the anger that I was misdirecting and I believe I was misdirecting towards women. A lot of that anger is gone. And I owe it to the treatment. I owe it to the, like I said I didn’t really believe that my childhood and the things that happened to me in my childhood could have that effect on me but it had an effect and it had a power over me that I didn’t realize until I’d worked through these issues and I was able to look at the abuse that I’d suffered from my parents and look at it and say that as much as I was abused by them, and that no child deserves to go through what I went through I can look at it that it was handed down from generation to generation to generation, that my parents were abused in the same way.

### **Treatment at Mountain Institution 1999-2002**

In 1999 Mr. Callow requested and was granted a transfer to the Pacific region specifically to participate in the Personality Disordered Sex Offender Program offered at Mountain Institution. Shortly after arriving at Mountain Institution Mr. Callow’s case was

reviewed to determine whether or not his case should be referred to the National Parole Board with a recommendation that he be detained until warrant expiry. Because the concept and consequences of "Detention" loom large in Mr. Callow's case a word of explanation is in order. Under the *Corrections and Conditional Release Act* 1992, ("CCRA") offenders who have not been granted parole are generally entitled to be released from prison after serving two-thirds of their sentence on what is called "statutory release" and are required to serve the last third of the sentence in the community subject to a set of conditions which typically include reporting to a parole officer, remaining within a certain area, a prohibition on the use of non-prescription drugs or alcohol and participating in community based relapse prevention programs. The National Parole Board may also impose an additional (residency") condition that the offender reside at a halfway house. For a small class of offenders the National Parole Board also has the authority to order the "detention" of an offender until warrant expiry. The consequences of detention are that the offender is not released at the two-thirds point in their sentence but remains imprisoned subject to an annual review of the detention order by the board. Under s. 130(3)(a) to justify the detention of an offender the Board must be satisfied

in the case of an offender serving a sentence that includes a sentence for an offence set out in Schedule I, [ offences involving violence including rape] that the offender is likely, if released, to commit an offence causing the death of or serious harm to another person or a sexual offence involving a child before the expiration of the offender's sentence according to law.

The CCRA requires that every offender serving a sentence for a schedule 1 offence be reviewed by the Correctional Service of Canada to determine whether in light of the criteria for detention, the offender should be referred to the National Parole Board for a hearing. In a Detention Review Pre-Screening Report, **dated 20 July, 1999**, the Mountain Interim Detention Review Board recommended that Mr. Callow be referred for detention, concluding that:

Despite having had extensive sex offender treatment at Warkworth institution, Mr. Callow has continued to demonstrate the thinking patterns and behaviors which were present during the commission of the index offenses. Considerable further sex offender treatment and extended period of internalization is required prior to any release consideration.

A month after this report, in **August 1999** Mr. Callow began the Personality Disordered Sex Offender Program which he completed in January 2000.

In December 1999 when Mr. Callow was within a month of completing the Personality Disordered Sex Offender Program, his institutional parole officer at Mountain, who had only just taken over his case, prepared the documents to be sent to the National Parole Board for consideration at Mr. Callow's detention hearing. In support of her recommendation that Mr. Callow be detained until warrant expiry, IPO [ Institutional Parole Officer] "A" wrote in a Correctional Plan Progress Report dated **December 24, 1999**:

Although Mr. Callow has completed programs related to his index offense of sexual assaults, he continued to display inappropriate behavior towards females thus demonstrating that he has not gained any insight into his thoughts

and feelings. All the WSBC (Warkworth Sexual Behavior Clinic) reports have rated Mr. Callow's risk for re-offense at post-treatment to be moderate-high. Mr. Callow presents as an individual with personality problems. He requires treatment aimed at his personality functioning, such as Personality Disordered Sex Offender Program. Mr. Callow is currently participating in this program, the benefits that will he will gain remains to be seen.

Regarding Mr. Callow's participation in the Personality Disordered Sex Offender Program, and her own observation of his performance in a victim empathy role-play IPO "A" opined that "it appeared as though he has gained some insight into the impact that his actions had on his victims". Mr. Callow's work in this regard was characterized as no more than "a good beginning for Mr. Callow to attempt to gain an understanding how his behaviors have impacted his victims. However, it is just that, a beginning." She went on to observe

What kinds of gains Mr. Callow makes from that program remains to be seen. At this time, it is safe to state that Mr. Callow has had some programming to deal with his sexually deviant behavior, but he has failed to act appropriately and has had incidents of displaying sexually inappropriate behavior toward female staff. It would appear that he remains as an untreated sex offender.

In a companion Assessment for Decision dated **December 24, 1999** IPO "A" wrote "[Mr. Callow] has had difficulty controlling his sexual impulses to the point where he has assaulted two female staff in the institutions on two different occasions during the sentence"

Mr. Callow has taken some treatment for his actions as outlined in the correctional plan progress report however he has not been able to put the insight gained from these program to use as evident from his inappropriate behaviour towards female staff. As evident from the various psychological reports following treatment in the Warkworth Sexual Behaviour Clinic, it is safe to state Mr. Callow remains as an untreated sex offender. He is currently taking the Personality Disordered Sex Offenders Program and doing well. According to the facilitators of this program, Mr. Callow has informed them this program has given him more insight than any other programs in the past. If this is in fact the case, then Mr. Callow has a very good beginning and should continue to take further sex offender programs to gain enough insight to not reoffend. Mr. Callow has made a good start with this program to deal with his sexual behaviour. It is just that, a start. Mr. Callow has a long ways to go before he can be considered safe to return to the community.

There are serious and highly prejudicial errors contained in these documents. As my previous review of the Warkworth Sexual Behavior Clinic reports demonstrates, to describe Mr. Callow's extensive experience in sex offender treatment as "some programming" is to use CSC's own treatment language a classic example of "minimization" and to confidently assert "it is safe to state Mr. Callow remains as an untreated sex offender" flies in the face of the documentary record. It is also inexcusable to describe Mr. Callow's incidents in 1994 and 1996 as "assaults" on female staff. Even the description of "displaying sexually inappropriate behaviour toward female staff" is a freighted mischaracterization of the incidents. Mr. Callow's behavior in 1994 and 1996, which was admitting to and voicing "an inappropriate attractions to female staff

members” unaccompanied by any overt sexual behavior, while of concern, is a far cry from Mr. Callow’s pattern of violent predatory criminal offending that brought him to prison. Mr. Callow pointed out to his IPO that her assertion that he had assaulted two female staff members during his current sentence was not true but she refused to amend the documents sent to the National Parole Board. Mr. Callow was in fact successful, albeit a year later, in having this error noted on his file. Unfortunately some media reports have repeated this unfounded assertion in the December 1999 assessment for decision that Mr. Callow, during his 20 year sentence, sexually assaulted staff members.

IPO “A”s negative Correctional Plan Progress Report, was locked onto CSC computers on **January 24, 2000**. The very next day **January 25, 2000** the Final Program Performance Report, documenting Mr. Callow’s successful completion of the Personality Disordered Sex Offender Program was logged on to those same computers. The performance report was written by the program therapists who had worked with Mr. Callow on an intensive daily basis during the five months of the program. In critical areas relevant to the assessment of Mr. Callow’s victim empathy, appreciation of his crime cycle and ability to intervene to effectively manage his risk, the cautiously positive opinions expressed by the program therapists stand in stark contrast to the highly negative opinions expressed by IPO “A” who had spoken with Mr. Callow on only a few occasions. The two sets of documents, written within the same institution by CSC employees, read as though they were describing two different people. To Mr. Callow’s great prejudice this disconnection between the positive opinions of the therapists and professionals who worked with him most closely in programs and the negative assessments of a succession of acting institutional role officers was to become a theme in Mr. Callow’s correctional files.

I will be quoting from the Final Program Performance Report of the Personality Disordered Sex Offender Program in some detail because, despite its positive tone and hopeful prognosis, it seems to have been given very little consideration by either the case management team at Mountain Institution or the National Parole Board in the subsequent critical decisions regarding Mr. Callow’s detention. As described in the report “this program was recommended to address personality development and further sexual behaviour treatment” and “was not available in the Ontario region”. The program at Mountain Institution “was a 20-week program and participants were engaged in program activities 6.5 hours per day from Monday to Thursday and were expected to work on homework assignments on Fridays. Morning group psychotherapy sessions extend throughout the 20 weeks, while afternoon sessions were divided into the following modules: Autobiography presentation (AB), Offense Presentation (OP), Rational Emotive Therapy (RET), Thinking Errors (TE), Sexuality and Relationships, Victim Empathy (VE), and Criminal Behaviour Cycle” (CBC). Mr. Callow’s performance is described in these terms

Mr. Callow was open and disclosive about his offences throughout the program and was seen as somewhat of a role model for disclosure by other group members. In morning groups, he talked about his childhood abuse, his recognition that his family of origin had in fact been dysfunctional, and his recognition that many of the beliefs and attitudes he learned in his family were unhealthy. In particular, he discussed how his attitude toward women has changed. He also talked about the negative impact of alcohol on his life, his relationships, and his offending behaviour.

Just before the midpoint of the program, Mr. Callow discussed some of the problems he had experienced while incarcerated. He said that he wanted the group to have the whole picture about several incidents, so that he could get feedback about things that he wanted to look at more closely. He talked about his assault on a nurse in an earlier sentence, and about the problems that had resulted from his attraction to a Native Liaison Officer earlier in this sentence and to his Program Therapist in his last sex offender treatment program.

Mr. Callow spent about an hour discussing what had happened in his last sex offender treatment program at Warkworth. He said that at that time he had been struggling with many personal issues, for example, whether he should tell his daughter why he was incarcerated and coping with the negative publicity generated by a lawsuit brought by one of his victims. In addition, he had come to realize that he was attracted to his program therapist and recognized that he was getting into his cycle. He said that at that point he believed that his best option for dealing with his feelings for his therapist would be to quit the program, but shortly after he disclosed his reasons for wanting to quit he noticed that there was a meeting of all of the program providers and Psychology. Mr. Callow stated that he immediately assumed that this meeting was about him, which in fact it was not, and he was extremely worried about what was to come next.

He said that when he tried to get some clarification about what was going on from program staff, they misconstrued his concern to mean that he was unable to cope with his feelings toward his therapist and he was quickly terminated from the program and segregated...

Mr. Callow also discussed problems in his interactions with the head psychologist at Warkworth, stating that this psychologist had told him that he had problems with trust. Mr. Callow said that he believed that this psychologist had lied to him on several occasions and that he did have valid reasons for not trusting him. Mr. Callow asked for feedback about the validity of his perceptions in that situation...

After the midterm break, Mr. Callow described what it was like growing up in his family of origin. He recalled frequently receiving harsh physical discipline for minor behaviour problems, such as whippings with an electrical cord for lateness or swearing. He said that he remembered hiding under his bed from his father and as his father tried to move the bed to catch him he would scuttle around to stay hidden under the bed. He said that these were terrifying experiences for him. Mr. Callow said that he has come to realize that it was usually his mother who decided when he should be punished. He also recalled frequently being used as a "punching bag" by his older brothers. Mr. Callow stated that it was always his sister who comforted him when he cried, and that he had always felt closest to her.

He discussed how talking about his experiences at Warkworth made him very aware of the importance of recognizing early warning signs and intervening early in the cycle...

Mr. Callow's account of his offences was very consistent with the official version of the events. He was open and was able to describe events in detail. He took full

responsibility for his offences and in his presentation he appeared to be quite remorseful, breaking into tears as he described the assault process. He clearly connected with his victims fear.

In reviewing Mr. Callow's offense presentation it was also apparent that a particular pattern of thinking errors preceded his offending behavior. This pattern involved fear of rejection or abandonment in his close relationships, feelings of personal inadequacy, and blaming others for his emotional discomfort. This pattern was not apparent during the program.

Mr. Callow stated that he had come to see how he used to objectify and sexualize women and that he now prefers not to do that. He demonstrated this change several times during the program. When he came across situations where other inmates made comments or jokes that objectified women, he would leave or make it known that he did not appreciate those types of comments or jokes.

Mr. Callow told the group that in the past the Victim Empathy module had always been the most difficult part of the program for him. He said that in previous programs he had been unable to stay with his feelings during Victim Empathy and had "tuned out" when he felt overwhelmed by his feelings. Also, Mr. Callow stated that in previous programs he found that the intense feelings of shame that come up in Victim Empathy had put him into his cycle.

Mr. Callow stated that in this program his reactions to the Victim Empathy module had been different. He said that he has noticed that while his emotional responses to thinking and talking about his own childhood abuse have decreased, he now finds himself becoming more emotional when he thinks about his victims' experiences. Despite this, Mr. Callow found that he was able to stay with his feelings throughout the VE module without tuning out. He was able to stay connected with his victims' feelings and was able to express remorse and sadness without going into his cycle. Mr. Callow felt the he might have been in the early stages of his cycle, but he was able to catch it and to deal with those feelings appropriately rather than go into his cycle.

Mr. Callow said that he believes that the VE module in this program was different in part because he has been meeting with an elder and attending sweat lodge ceremonies regularly, but mostly because he has been dealing with his feelings appropriately using the emotional-management skills taught in the program. Mr. Callow said that he believes that he has changed as a person during this program, but still finds it hard to separate his feelings about himself as a person from his feelings about what he has done. He said that he now realizes that he has wasted a lot of energy beating himself up in the past and does not want to do this anymore.

In group activities, Mr. Callow frequently demonstrated empathy for other group members by relating to their experiences and providing insightful feedback in an appropriate manner.

VICTIM LETTER

At the beginning of the program Mr. Callow completed a letter to one of his victims. His letter was brief but appropriate, and in it he took full responsibility for his assault and did not attempt to minimize the consequences to the victim or manipulate the victim by asking for forgiveness.

In the VE portion of the program Mr. Callow was asked to write a letter to himself from the perspective of one of his victims. As his victim, Mr. Callow described the many losses she had experienced following his assault upon her. His victim felt that since the assault she has lost the closeness that she had once had with her parents and other family members. She also described how her job performance suffered to the point that she felt she had to quit to avoid being fired. She took a less demanding job, but sees no future for any kind of a rewarding career, which has caused her to give up on her dream of owning a home. She also discussed her inability to maintain a relationship and her fear that she would never have the family she had expected to have.

Mr. Callow described his victim's fear and humiliation at the time of the assault and also her continuing fears for her safety and inability to trust others with knowing what had happened to her. He described her attempts to cope with ongoing feelings of loss and sadness and with sudden overwhelming fears by using alcohol and sleeping pills. In his letter his victim expressed anger but was also able to express many of the feelings that a victim could be going through as a result of being sexually assaulted.

Mr. Callow cried as he read his letter from the victim to the group, stating that he realized more fully how the lives of his victims could be affected in many different areas. He said that he found it emotionally draining to read his letter.

#### VICTIM ROLE-PLAY

Mr. Callow chose to portray his last victim in Toronto at a time 13 years after his assault on her. In his role-play, his victim disclosed her assault to her mother for the first time, explaining that she had not spoken about this before because she wanted to spare her parents the feelings of distress that she herself was experiencing. As a consequence of keeping this a secret, however, she felt that her relationship with her parents had lost the closeness that it had had previously. Now, because her parents were aging she had decided to tell them what had happened hoping to regain the closeness they once had. In his presentation, Mr. Callow focused on his victim's feeling of having experienced many losses since the assault and her fear that disclosing her assault to her parents could bring further losses. Overall Mr. Callow's presentation was convincing and he appeared to connect with his victim's feelings.

Afterward, Mr. Callow stated that in preparing for his presentation he had realized that being sexually assaulted can affect a victim's life in many different ways and that these changes could last for many years after the assault. He noted that for victims the world must seem unsafe, uncaring, cold and empty.

In playing the empathic listener for another group member's presentation, Mr. Callow was able to reflect back the victim's feelings and encourage the victim to

go more deeply into those feelings. He was also able to provide comfort and encouragement to the victim. Again Mr. Callow was very convincing and effective in his role as the empathic listener. Mr. Callow stated that he found it very difficult to be the listener and now realizes that it must be equally difficult for police and social workers to hear victims' stories.

#### BEHAVIOUR CYCLE:

Each group member was required to identify and elaborate the repetitive cycle of cognitive, emotional, and behavioural events that preceded his offending. For most group members this was perhaps the first explicit examination of the events underlying offending and the following assignments were completed to facilitate this examination:

- i. presentation of a detailed oral account of the last offense to the group identifying thoughts, feelings, and behaviours that were present during and following that offense.
2. completion of written assignments in all three Freeman-Longo/Bays workbooks.
3. maintenance of a daily log and monitoring risk factors.
4. development of a written Criminal Behavioural Cycle.

In his presentation of the OK stage of his Behaviour Cycle, it was pointed out that Mr. Callow needed to provide more details about the types of thinking errors that he might engage in during this stage and about the possible deterrents and interventions for this stage. In his revised written version he did address these concerns. In his presentation of his Buildup stages, it was pointed out that again he needed more observable details and more explicit deterrents and interventions. In his revised written version he did address these points. For each of the stages he presented, he was able to make use of feedback to fine-tune his final written version.

Mr. Callow's descriptions of the specific changes through each of the stages of his cycle are mostly very good. He is able to identify very specific changes in his appearance, habits, thoughts, and emotions at each stage. Of particular note are the important factors that drive his deviant cycle forward. Mr. Callow noted that in his OK stage, his thinking errors revolve around a theme of resenting "not having enough time for myself." In his first Buildup stage he identifies his unhealthy attempts to cope by stuffing his negative feelings and cutting himself off from other people. In his second Buildup stage, Mr. Callow recognizes how he turns to drugs and alcohol in an attempt to cope as his negative feelings begin to overwhelm him. In this stage he isolates himself further, arguing with those close to him. By his third Buildup stage, Mr. Callow observes that his drug and alcohol use is daily and he is constantly angry, snapping at strangers, objectifying women, and having rape fantasies.

Mr. Callow's deterrents are appropriate and realistic, focusing on loss to himself or harm to victims and these are similar throughout his cycle. Later in his cycle, he also includes thoughts of how his children would be affected if he was to reoffend. In his interventions, Mr. Callow identifies practically all of the strategies

taught in the program including: disputation of thinking errors; avoidance and escape strategies; relaxation; aversive imagery; journalling; relapse prevention. In addition to his deterrents and interventions, Mr. Callow also provided a detailed description of the healthy activities that he plans to engage in to take the place of the unhealthy ones that he had previously engaged in. He has already begun several of these activities and plans to continue them when he is released. This was of note because few members of the group took this additional step, and in fact several expressed the intention to return to the same lifestyle and activities that they had prior to offending.

Overall, Mr. Callow's Behavioural Cycle is well thought out and provides a clear set of indicators and warning signs for those close to him.

## SUMMARY

Mr. Callow has taken several sex offender treatment programs in the past and had familiarity with many of the concepts and materials used in this program. This being said, Mr. Callow stated that he did benefit from taking this program. In particular, he noted that this program included a psychotherapy group that was not a part of his previous programs. He felt that this part of the program had helped him to start to work through issues from his childhood, to identify and correct maladaptive patterns in his thoughts, feelings and responses, in particular, to be careful about making assumptions about the intentions of others and to stop blaming others for how he feels, to get feedback from others about the accuracy of his perceptions, and to practice being appropriately assertive with others. Mr. Callow stated that the offense presentation portion of this program was done differently than in past programs and it had given him a better understanding of how his thoughts, feelings, and behaviours interact in his pattern of offending. He also noted that more emphasis was given to RET in this program and the assigned exercises in RET had given him effective tools to dispute his irrational thinking. One other difference that Mr. Callow noted was that the CBC in this program had been much more useful than in previous programs. He indicated that he now sees the stages of the cycle clearly and is more aware that he can intervene at earlier stages in the cycle.

Mr. Callow made good use of the program to learn how his offending behaviour resulted from his own errors in thinking, irrational beliefs, stuffing his emotional responses, and use of drugs and alcohol to cope when those emotional responses threatened to overwhelm him. Overall, Mr. Callow came into the program with a good intellectual understanding of the elements of the program, but through his continued efforts in the program he has internalized much of what he previously knew at an intellectual level, and he now appears to have a very good grasp of his cycle and has realistic deterrents and interventions for each stage of his cycle. Mr. Callow has made significant gains in his understanding of his risk factors and his behaviour cycle, and also in putting appropriate deterrents and interventions in place.

## RECOMMENDATIONS

If he has not already done so already, we recommend that Mr. Callow enroll in Relapse Prevention as soon as possible to solidify the gains he has made in this program. It would be beneficial for Mr. Callow participate in OSAPP - Relapse Prevention and/or AA at this time. Mr. Callow has already been involved in Native Spirituality for some time and continuing his involvement would be beneficial to him. Mr. Callow has begun to resolve some of his childhood issues in this program and in future he may want to consider some form of therapy aimed at helping him continue to resolve these issues.

After completion of this program, Mr. Callow was assessed through a file review and one 90-minute interview by an institutional psychologist who In his report dated **February 14, 2000**, wrote:

During the present sentence, Mr. Callow has been through several intensive treatment programs for sexual offenders, as well as other treatment programs targetting relevant issues such as substance abuse. While his treatment performance has on the whole been good, the impact of these programs on his subsequent behaviour has at times been questionable. For example, results of urinalysis testing suggest that Mr. Callow has continued to smoke marijuana while incarcerated, and his response to treatment for sexual offending has been brought into question after two incidents of inappropriate attachments and behaviour towards female staff. The two incidents, involving a Native Liason worker and a Sex Offender Program therapist, were largely similar. In both cases, Mr. Callow became attached to a woman working in a caregiving role, and began to monopolize her time, becoming more and more personal and inappropriate. When the inappropriateness of his behaviour was pointed out to him, Mr. Callow had a great deal of difficulty disengaging from the situation.

#### PROGRAM PERFORMANCE

As noted, Mr. Callow has received extensive treatment during this sentence. Reports detailing his performance in those programs are available on file. The section below concerns his performance in the Personality Disordered Sexual Offender Treatment program at Mountain Institution, which Mr. Callow attended from August 1999 to January 2000. Information concerning Mr. Callow's treatment gains was taken from an interview, from his program performance report, and from consultations with his therapist. Mr. Callow appears to have done very well in treatment. He is noted to have participated well and to have displayed good insight into his offenses and the factors that contributed to them, as well as appropriate victim empathy and remorse. This is somewhat in contrast with previous programs, where his level of empathy and remorse was seen as lacking, despite his good intellectual grasp of the program components.

#### INTERVIEW

I interviewed Mr. Callow for 90 minutes on 2000-01-20. I explained the limits of confidentiality in the assessment process and he consented to be interviewed. In general, he was open and forthright. He displayed good knowledge of his offense cycle and appeared to feel remorse for his offenses. I asked him about an incident at Warkworth Institution, where he was ejected from a treatment program after he disclosed his attraction to a female therapist, and was later

segregated due to concerns that he posed a security risk. He acknowledged that his attachment to her, and many of his subsequent actions, had been inappropriate. However, he indicated that some of his actions and statements had been misperceived by staff, and that this contributed to the problems involved in that situation.

#### PREVIOUS RISK LEVEL

Following Mr. Callow's ejection from his treatment program at Warkworth Institution, his risk for reoffense was judged to be moderate-high.

#### CURRENT RISK LEVEL

Mr. Callow's risk for reoffense was estimated with a combination of actuarial instruments, clinical information, and clinical and actuarial knowledge about violent offenders. Mr. Callow's overall score on the Psychopathy Checklist - Revised (PCL-R) is at the 55th percentile when compared to a large, general population of male prison inmates, indicating a moderate risk for violent reoffence. His Factor 1 score (indicating a selfish, callous, and remorseless use of others) is near the 45th percentile and his Factor 2 score (indicating a chronically unstable, antisocial, and socially deviant lifestyle) is near the 61st percentile. The Violence Risk Appraisal Guide (VRAG), an actuarial risk instrument which combines the PCL-R score with other risk-relevant factors, finds Mr. Callow to be at the 89th percentile of male offenders. Out of every 100 offenders with a score in this range, 55 will reoffend violently over a period of 7 years post-release, and 64 will reoffend violently over a period of 10 years post-release. This result suggests a level of risk in the moderate-high range. Taking Mr. Callow's background, criminal history, present offences, and response to risk-relevant treatment into consideration, I judge his risk for reoffence to be **MODERATE.**

#### CONCLUSIONS AND RECOMMENDATIONS

Mr. Callow presents as a rather mixed case. He was incarcerated at age 33 for a series of brutal sexual assaults and, as he has admitted in the past, had been living an immature, antisocial lifestyle up until that time. Currently, he presents as a mature man who has insight into his offenses and feels remorse for the pain he has caused. However, he has never really had a significant period of well-adjusted living outside of an institution; and has little in the way of personal resources or family support to assist him in making the transition from prison to the community. He appears to be amenable to supervision, but he committed the present offenses while attending counselling, and chose not disclose them (or his urges) to his therapist. His response to treatment has in general been promising, but two significant incidents involving inappropriate attachments to female staff have called his progress into question.

Given this mixed picture, Mr. Callow may not be an assumable risk in the community at this time. While his recent treatment performance and behaviour have been very promising, the nature of his past offenses and the questions that have been raised by some of his past institutional behaviour warrant a very cautious approach to his release. It may be worthwhile that he spend more time being observed and supervised in a closed custody setting prior to release on parole. If he maintains his current pattern of behaviour for a significant period of

time (i.e., at least one year), movement to lower levels of security and a gradual reintegration program would be recommended. For such a program to be successful, it would be essential for Mr. Callow to abstain from alcohol and drugs, to communicate openly with supervising authorities and/or counsellors, and to make a lifelong commitment to relapse prevention

Following completion of the Personality Disordered Sex Offender Program Mr. Callow in **February, 2000** also completed the Native Substance Abuse Treatment Readiness Program. This program provides culturally and spiritually appropriate materials to encourage program participation, promote positive self image and expedite personal self growth. The process is experiential, allowing participants to explore topics during the talking circle using traditional methods and teaching tools such as the medicine wheel, sage, sweetgrass, sweatlodge and Elder's' teachings. The program utilizes group dynamics and the talking/healing circle, which is similar to a group therapy session. As well the program uses a holistic approach which is the basis of Aboriginal programs. These programs have been a major initiative of CSC in response to the massive over representation of Aboriginal Offenders in the correctional system and the recommendations of Royal Commissions and the Supreme Court of Canada of the urgent and critical need to provide culturally sensitive correctional and healing programs. The distinctly Aboriginal healing journey has come to be known as "The Red Road". As I have described Mr. Callow had already successfully completed some Aboriginal programs at Warkworth and continued in his healing journey after his transfer to Mountain Institution.

Mr. Callow's attendance in the Mountain Native Substance Abuse Treatment Readiness Program was perfect and his participation was rated as "excellent." In her Final Program Performance Report dated **February 23, 2000**, the facilitator of this program wrote:

He benefited to a great extent by reviewing topics that include self-awareness, substance abuse, relapse prevention, culture, all of which he was familiar with considering he had taken many programs previously throughout his incarceration. He understands that high risk situation factors include the following: Association with ex cons or old drinking/drugging friends, not choosing an adaptive coping response to deal with negative feelings or emotions that he is experiencing, going to bars or licensed restaurants, allowing himself to become bored. He states, in his participant assessment, "A high risk situation would not cause me to relapse. I may cause myself to relapse by not utilizing adaptive coping responses to cope with high risk situations".

As part of his pre-release plans he is applying to go to Tsow Tun Le Lum Treatment Center in Lantzville, B.C. to attend the alcohol and drug treatment program as part of his pre-release plans. He will be seeing an Elder on a regular basis, participate in healing circles in the community, attend A.A. meetings, get an A.A. sponsor, continue with the sweatlodge and use his support people when and if he has thoughts of using drugs or alcohol. He avoids associating with people that abuse drugs or alcohol. He knows that recovery means developing aftercare aimed at promoting lifestyle change.

Based on his participation level and his input during group sessions I believe he benefited from taking the program to a great extent., even though much of it was

a review for him. He said that he tries to maintain a balance of the mental, emotional, spiritual, and physical aspects of his being and when he spends too much time on one level, he notices and reorganizes his schedule.

After taking risks in the program with disclosure and openness he felt that his self-esteem level rose and I was aware of what being open did for him. It freed him from the past just a little bit more, which is part of the recovery process that includes overcoming problems associated with chemical dependency, enabling one to want to live a balanced lifestyle.

During his years of incarceration he has completed many programs and is aware of his addictions, thinking errors and pattern of behavior. However many programs he has taken he was motivated to complete this program which demonstrates his commitment to his healing journey, the program itself and to his correctional plan and his pre-release plans.

I highly recommend that he participate in the substance abuse program and also in the survivor's of trauma program at Tsow Tun Le Lum Treatment Center so that he may gain self-awareness, review drug and alcohol addiction, relapse-prevention and heal the trauma experienced in childhood because it still effects him today when he is triggered, although it is less traumatic today, as he deals with self-awareness in programs, groups and the sweatlodge. Based on his commitment, motivation and progress he made in this program I know he would successfully complete the treatment center programs.

As part of his healing journey along the Red Road Mr. Callow sought out and received the advice and teachings of elders contracted by the Correctional Service of Canada to counsel Aboriginal offenders. One of those elders was Mr. R, a much respected member of the Chehalis First Nation. Mr. R. was sufficiently impressed with Mr. Callow's sincerity and commitment to the Red Road that he had agreed to write an "elders assessment" to be shared with the National Parole Board. In this assessment, dated **March 13, 2000**, he wrote:

Paul is a man dedicated to personal change and growth. As we talked he mentioned certain definite and positive changes he has made within himself; he discussed his life and dilemmas with a deep understanding.

Paul grew up in a predominantly white community and did not acquire his status as an aboriginal until 1987 after Bill C-31 was implemented. He began to learn of the native culture and spirituality at that time was incarcerated at Kingston Pen. He began by attending native healing circles, sweat lodge ceremonies, and brotherhood meetings. His commitment to spiritual growth has brought him a long way on his journey over the past 13 years. Paul is a regular participant in the sweat law ceremonies here at Mountain Institution and has spoken to me of the changes in his behavior as a result of his spiritual growth and understanding. He spoke of how his spiritual walk has taught him patience and how this has helped him deal with his anger appropriately. You also mentioned how he now has a respect for women that he never had in the past. He spoke of how he used to objectify women in the past and now he knows that women have been given the doorway to life and must be treated with respect. He is also aware of the high esteem of the clan mothers and the respect they should be treated with

as well as Mother Earth who is also life giving... He spoke of the psychological and physical abuse he suffered as a child. He also said that he has made ties between his anger and aggression as an adult and his childhood abuse. He said that acknowledging his abuse, accepting that there is nothing he can do to change the past, and forgiving his brothers and parents has allowed him to become a survivor of his childhood abuse. He realizes that he can choose to no longer let his abuse and the effects of it have control of him and the direction he is headed.

He seems to be sincerely remorseful for his crimes ..He spoke of the nightmares he has caused [his victims] and how they may feel unsafe even in their own homes. He wrote about how he has taken so much from so many innocent people and can't give it back... Paul seems to have a very good understanding of why he committed his offenses. He went into great detail in describing the buildup phases of this cycle describing his thoughts, feelings, behavior, thinking errors, and physical appearance. He said that his motivation was his realization of the harm he had caused not only to his victims but also to his own family.

Paul has successfully completed several sex offender programs, native substance abuse, native cognitive living skills, anger management, attended native healing circles, sweat large ceremonies, and elder counseling, to assist him in changing his ways.

He is open to traditional methods of healing and has done so in his lengthy journey to this point.

### **The National Parole Board Detention Decision 2000**

Following completion of the Native Substance Abuse Treatment Readiness Program Mr. Callow began the Aboriginal Life Skills Program. Just a week after he started the program, on **April 19, 2000** Mr. Callow appeared before the NPB which ordered that Mr. Callow be detained until warrant expiry .

Mr.Callow had requested an Elder-Assisted Hearing in which the Board meets in a circle and receives the advice of a Board-appointed elder. The hearing also allows for a more informal setting and a more respectful and balanced flow of exchanges between the offender and the Board members.

Mr. Callow's hearing lasted over two hours and the greater part of the hearing was taken up with the board members questioning Mr. Callow regarding not just the circumstances of his "index offences" – the five rapes for which he was serving his 20 year sentence - but also other incidents involving his making obscene telephone calls for which he had not been charged but to which he had readily admitted during his participation in programs were part of his crime cycle. Board members also questioned him regarding his understanding of the factors that had contributed to his offending, including his family history and experiences of violence at the hands of his father and emotional rejection by his mother. Mr. Callow acknowledged that during his first penitentiary sentence and after his release when he was committing his index offences in Toronto he had had no regard for the feelings of his victims and that it was through his participation in programs that he had come to realize the enormity of the damage he had done to his victims' sense of well-being and personal security.

In the course of the hearing Mr. Callow was asked how had participating in Aboriginal

spirituality had helped him understand and address his history of violent sexual offending. He explained how as a young boy he was brought up off the reserve and felt that he was rejected by both white and Aboriginal society. When he went to the reserve he was run off by the other Indian boys and in the white community where he was looked down upon. He explained that the first time he was called an Indian by white children he came home and asked his mother whether he was in fact Indian. She told him that he was Spanish and that was a story carried with him for most of his childhood. He came to be ashamed of being Indian and it was only after he had come to prison and began participating in Aboriginal spirituality that he was able to come to terms with his Indianness. He explained that through his work with the elders did he come to have a sense of belonging that had been missing for most of his life. The work he had done with elders exposed him to the importance of the principle of respect for all living beings. Going into the sweat lodge, which is symbolic of the womb of Mother Earth, brings a profound respect that the female is the source of all life, and that respect for women is an integral part of Aboriginal culture, a respect for their special gifts, a respect that he had violated. He explained how the elder at Mountain Institution had told him that on his birthday he always gave a gift to his mother to honour her and to show his respect for her and for the pain she went through in bringing him into the world. Mr. Callow explained that this was quite different from the way he had grown up in which his own selfishness had replaced respect. Aboriginal spirituality began to fill the spiritual emptiness that had been there for much of his life. The work he had begun with Ojibway, Mohawk, and Cree elders back east prepared him for the more intensive work he was now doing with West Coast elders which enabled him to continue along the Red Road with the benefit of the teachings of West Coast elders and this had enabled him to connect with his identity as a West Coast Aboriginal person, the distinctive West Coast artistry and carving, the songs and the drumming.

Mr. R. , the elder at Mountain Institution, in his comments to the Board explained that he had been meeting with Mr. Callow on a weekly basis and he was one of the few prisoners for whom he had written an elder assessment. He explained that Paul Callow initially sat quietly and listened to the teachings and then day he came to show a drum he had made for one of his children and Mr. R explained that before giving a drum he must learn a song to go along with the gift. Mr. R taught him that song. Mr. Callow now sings for the elders at every ceremony. Mr. Callow had demonstrated his willingness to learn the teachings and help on the sacred grounds and at the ceremonies. Mr. R in response to a question from the Board stated that he believed Paul understood his crime cycle. Mr. R concluded his remarks with the words, "You have spoken a lot of truths here today".

IPO "A" in her very brief comments to the Board acknowledged that she had only spoken with Mr. Callow on a few occasions and that she had not spoken with him recently and was unaware of the release plans that Mr. Callow had placed before the Board that would see him transfer to the Tsow Tun Le Lum residential community based Aboriginal treatment centre on Vancouver Island, after which he would reside at the Circle of Eagles halfway house in Vancouver. This was precisely the transition recommended by the facilitator from the Mountain Native Substance Abuse Treatment Readiness Program. A representative from the Vancouver Parole Office, who had never met Mr. Callow before, advised the Board that the community parole officer who had reviewed Mr. Callow's file and IPO "A"s report, did not believe that his risk was manageable in the community.

At Mr. Callow's parole hearing there were others from whom the Board did not hear. In the room were the two therapists and facilitators for the Personality Disordered Sex Offender Program sex offender program Mr. Callow had recently completed, together with his CO2 ( a uniformed correctional office who is assigned to work with an offender as part of the case management team) and the Native Liaison Officer.. All of these people had spoken with Mr. Callow on a far more regular and intensive basis than his IPO but the Board would not hear from any of them. Mr. Callow had asked at the beginning of the hearing if they could be allowed to speak but was told that the Board's policy was that he was allowed only one assistant and that he had designated the institutional elder, Mr. R to be that person. In his final comments to the Board Mr. Callow expressed his gratitude for their presence in support of him and hoped that the Board would take this into account in their decision.

The failure of the Parole Board to hear from the facilitators of the Personality Disordered Sex Offender Program was extremely prejudicial to Mr. Callow. These were the individuals who over a five-month period had worked with Mr. Callow on a daily basis going deep into the very issues that were of prime concern to the Board - Mr. Callow's understanding of his crime cycle and his ability to intervene to prevent re-offending. From a review of the tape of the hearing it is evident that at least one of the Board members was not satisfied that Mr. Callow had adequately explained how the violence he experienced in his childhood was linked to his escalating violence against women. One of the great difficulties faced by offenders in parole hearings is that they have only a limited time in which to respond to profound questions regarding the often complicated factors that led to their crimes. In Mr. Callow's case the answer traces multiple paths, ones that he had tracked and discussed over many hours with the help of the program facilitators. To synthesize those many hours of emotional work into a succinct few minutes for the purposes of a parole hearing is very hard. To the extent that Mr. Callow's response to board members' questions left some doubts about the extent of his understanding, it would have greatly assisted the Board to hear directly from the program facilitators. They would have been able and indeed were the best persons to describe the work Mr. Callow had done and provide their perspective on the issues that concerned the Board, particularly whether Mr. Callow during his participation in the program sessions had, given the time and emotional space available, been able to demonstrate his understanding and insight into the roots of his offending and his progress in developing realistic strategies to manage his risk in the community. Their views would not of course bind the Board but they would have significantly enlarged the Board's understanding of the extent to which Mr. Callow had indeed benefited from treatment and whether his release into a community-based program was the least restrictive option to manage his risk.

Although the normal practice of the National Parole Board is to allow only one person to assist the offender, it is important to realize that Mr. Callow was not seeking to have the program facilitators appear as his assistants. In most cases where the offender has an assistant that person is a lawyer. Mr. Callow was asking that the Board hear from the program facilitators as people who could speak to the Board based upon their direct experience with Mr. Callow and provide relevant information. I have represented many prisoners at parole hearings, especially elder-assisted hearings, in which the Board has readily agreed, at my request, to hear from psychologists, program facilitators and family members to help the Board in its onerous task of assessing risk. In Mr. Callow's case the only staff from Mountain Institution the Board heard from was his institutional parole officer who by her own acknowledgment was a person who had the least contact with

Mr. Callow and whose assessment for decision to the Board, recommending detention, had been written before receiving the final report from the program facilitators and without their input.

The Board, in ordering Mr. Callow's detention, gave as its reasons :

The entrenched nature of your sexual deviancy is not only evidenced by the number of sexual offences you have committed, but also due to the difficulties you have had controlling inappropriate behaviour and use of power/control towards female staff members during your incarceration. You were terminated from sex offender treatment in 1996 due to your inability to manage effectively your thoughts, feelings and behaviours surrounding your sexual attraction to a female therapist. A few years earlier, you had distorted a relationship with a female native liaison officer.

It is also noted that you were discharged from treatment while serving a sentence for a rape conviction in 1978 for indecently assaulting a female staff member.

A second criterion relates to medical, psychiatric and/or psychological information related to your risk to commit further violence and harm to others. The most recent psychological assessment opines that your risk for sexual reoffence is moderate, although earlier assessments opine moderate-high to high risk for sexual reoffence. You are described as possessing insight into your offences and to feel remorse for the pain you have caused. However, it is also observed that you committed the present offences while attending counseling and your response to treatment is difficult to assess in view of two significant incidents involving inappropriate attachments to female staff during this incarceration. Thus, it is evident that you are prone to falling back into your crime cycle. Overall, current psychological opinion is that you may not be an assumable risk in the community at this time.

A third criterion concerns plans you may have to commit an offence causing serious harm to another person. There is no evidence that you have such plans.

The final criterion concerns the availability of supervision programs in the community adequate to the task of managing the risk you might otherwise present. Your case management team believe that your risk is not manageable in the community due to the need for further treatment, inconsistent response to treatment during this sentence and a crime cycle that would be difficult to manage in the community. Your response to community supervision has been poor in the past with a previous mandatory supervision ending in revocation, and some of the current sexual offences occurring while you were subject to a bail order.

At your hearing, the Board explored fully with you your persistent pattern of sexually violent behaviour against women. Notwithstanding the numerous treatment programs you have completed and gains you have been making in your intellectual understanding of your crime cycle, it is evident that you must accomplish further work in understanding your offending behaviour and demonstrating your ability to put into practice on a consistent basis the skills and strategies, necessary for relapse prevention. Your sexual violence is extremely entrenched, as your criminal history indicates, and you have experienced

problems managing feelings, thoughts and relationships with women during this sentence. Overall, the Board is satisfied that you are likely to commit an offence causing serious harm prior to warrant expiry and accordingly, your detention is Ordered.

There is no reference or acknowledgment in this decision to the detailed and positive final performance report written by the two facilitators of the Personality Disordered Sex Offender Program in February 2000, the same facilitators the Board did not call upon to speak at the hearing.

Notwithstanding his profound disappointment at the NPB decision to detain him Mr. Callow completed Aboriginal Life Skills Program and on **June 6, 2000** received the following appraisal of the benefits he derived from it:

The program served Mr. Callow as a reflection of the gains in which he has made throughout his incarceration. Mr. Callow should be commended for the strides that he made for his commitment in adducing the factors in which lead to his incarceration.

It is this writer's recommendation that Mr. Callow be encouraged to obtain Employment with CORCAN, which will provide Mr. Callow with an opportunity to continue to demonstrate that he has indeed internalized the teaching and concepts of his overall institutional program, as Mr. Callow will have daily interaction with outside community workers. On his spare time I know Mr. Callow will continue to support and tutor other participants of the sex offender program

#### Demonstrated Behaviour Change

Mr. Callow has demonstrated an open and honest attitude towards his sexually offending behaviour.. He continually demonstrated progress in the areas of rejection, openly sharing his disappointment with the results of his parole hearing. He followed through with his plan of becoming involved with tutoring peers who are involved with the sex offender program, continue to attend his relapse prevention group on Thursday, continued to attend the sweatlodge ceremony, one to one with Elder.

He volunteered to tutor his fellow participants. He continues to communicate with his institutional caseworkers.

A majority of the program more or less instilled the concepts in which he has received through institutional intensive treatment.

As the recommended follow -up to the Personality Disordered Sex Offender Program Mr. Callow enrolled in a relapse prevention program. On **May 30, 2000**, the facilitator of this program, wrote:

Paul is an excellent group member and is always disclosive about events that have elevated his risk levels and the management of his risk. It is my opinion that Paul is a little overconfident and minimizes his level of risk in his logs. This being said, Paul has developed appropriate risk management skills and has demonstrated the use of his skills throughout the last six months. Paul has been very easy to work with the group and can be counted on to provide other members with insightful feedback.

## **The National Parole Board Detention Reviews 2001-7**

Two documents were prepared by his CMT later in 2000 for the purposes of Mr. Callow's first post-detention annual review in 2001. They are however quite different in the view they present of Mr. Callow's response to and benefit from his continuing treatment and programs. The first prepared by IPO M, dated **October 12, 2000**, based upon a very full consultation process, states:

For the purposes of this report consultation occurred between the acting Unit Manager, Acting Parole Officer M, Correctional Officer II, Native Elder, SOP Program facilitators, Bridging Parole Officer and Mr. Callow

### OFFENDER'S PROGRESS

#### PROGRAM / TREATMENT COMPLETED

Mr. Callow's most recent program was the Balanced Lifestyles Program completed in May 2000. After completing this program, his former case management team agreed that Mr. Callow could take a break from programs and then review after the summer months. Mr. Callow is currently not enrolled in any programs, however he is expected to start programs in October 2000 and has been scheduled for an interview for the Aboriginal Sex Offender Program at Mountain Institution.

Mr. Callow participated in the Balanced Lifestyles Program between 2000.04.10 to 2000.05.19 and as stated by the Program Facilitator Mr. Callow's participation was very positive. The program facilitator believes that Mr. Callow is well aware of his thought distortions and his well-rehearsed pattern of returning to his crime cycle. The program facilitator also believes that Mr. Callow has internalized the skills and the knowledge that he has gained through Sex offender treatment and stated that he has demonstrated his understanding during the program. She noted that his daily attitude toward her as a female staff member was one of respect and integrity. She stated that Mr. Callow openly shared his experiences of his attitudes toward women. Regarding Substance Abuse, she believed that Mr. Callow was sincere in his understanding of how substances played a role in sexual offending. She noted that Mr. Callow admits that substance abuse played a major role in his sexual offending behaviour and she believes that he has worked very hard in order to gain back credibility, regarding his commitment to maintaining a substance abuse free lifestyle. The facilitator recommended that Mr. Callow work for CORCAN in order to demonstrate his gains and insight in non-treatment setting.

Mr. Callow is currently at the CORCAN Cabinet shop and works in the 'J' compound construction area. He maintains level 'A', pay,

Mr. Callow has attended Sex Offender-Relapse since completing the Personality Disordered Sex Offender Program. He is reportedly doing well in the group. During a telephone case conference the Relapse Facilitator revealed that Mr. Callow has learned what his triggers are and has a risk-management plan. Mr.

Callow is also able to "self-manage" his emotional state of arousal. She believes that he knows his risk factors and can manage them. Personality Disordered Sex Offender Program facilitator stated during the telephone conference that Mr. Callow is internalizing and getting better at using the skills he learn through treatment.

Mr. Callow completed the Personality Disordered Sex Offender Program between 1999-08-03 and 2000-01-07 .The results of this program are positive His therapist, indicated during a telephone conference that he participated very well and displayed good insight into his offences and the factors that contributed to them, as well as appropriate victim empathy and remorse. This is in contrast with previous programs, where his level of empathy and remorse was seen as questionable, despite his good intellectual comprehension of the program components. Mr. Callow continues to attend Sex Offender Relapse Program sessions regularly

During a case conference on 2000-09-28, Personality Disordered Sex Offender Program Facilitator, stated that Mr. Callow did very well in the program and continues to do well in his relapse prevention, Mr. Callow can articulate his risk factors and seems to have a good grasp of his criminal behaviours factors in the offence. During a recent case conference Mr. Callow seemed to credit alcohol abuse as a trigger prior to the commission of his crimes and may rely on this reason somewhat too heavily. Mr. Callow accepts full responsibility for his offences and seems to understand his crime cycle indicators. He was able to display that he has a good knowledge of his risk management skills.

#### CHANGES IN BEHAVIOUR

Mr. Callow appears to have a good grasp of his dynamic factors. He has attended required programming and has participated well. Mr. Callow has a strong grasp of his risk factors and can give options for how to self-manage when he is becoming high risk. There is no evidence to suggest that he is involved in any criminal activities or organized crime. There is no recent preventive security information of note.

#### ATTITUDE

Mr. Callow has a very good attitude toward his Correctional Plan. He is participating in the required programming and is reportedly doing well. Mr. Callow states that he is willing to attend further programming related to his substance abuse problem and his sexual offending. However, he also stated that he believes he is ready to begin his reintegration and does not believe that further institutional programming is necessary.

#### MOTIVATION

Mr. Callow remains highly motivated. Mr. Callow has consistently participated in programming related to his Correctional Plan as required.

By contrast, only three months later a second report, dated **January 11, 2001** authored by a new acting IPO who had just been assigned the case, rather than emphasizing the positive feedback about Mr. Callow's behavioural change and the benefits identified by professional therapists and facilitators from his continuing participation in correctional programming, paints a largely negative profile of Mr. Callow based largely on his efforts to challenge what he believed to be unfair decisions being made about his case .

Mr. Callow was also interviewed for the Aboriginal Sex Offender Program on 2000/10/04. The program interview sheet states that he was not accepted because, "He has five sex offender programs and the psychologist of the last program said Mr. Callow does not need another program and the IPO agrees. When asked to be our tutor he said yes." Mr. Callow successfully completed four of five mentioned sex offender programs, having been discharged from one for inappropriate attraction to a female therapist. It should be pointed out that neither the final program report from the last Sex Offender Program nor the most recent psychological assessment makes either a positive or negative recommendation about further sex offender programming. However, both the facilitator from the last program and the current relapse facilitator were consulted upon receipt of this interview sheet. They indicated that Mr. Callow has a very solid intellectual understanding of the program concepts and needs to practice his skills and risk management. They felt that there was not much more that he could learn from participating in another program.

While the program facilitators that have worked with Mr. Callow acknowledge the work that he has done, he seems to continue to face some challenges. He needs to work on the consistency with which he submits his logs to his Relapse Facilitator and needs to ensure that he is completely honest with himself in his ratings of his risk factors. This is an integral point for Mr. Callow in his ability to self-manage his risk and to know when to use interventions or seek assist from a support person.

Further, Mr. Callow continues to demonstrate some thinking errors in his meetings with his Case Management Team. On a number of occasions Mr. Callow has attempted to meet his needs or have his Parole Officer do something for him by threatening to go to a higher authority.

For example, when Mr. Callow disagreed with the results of a Community Assessment conducted on his mother and the denial of a Private Family Visit (PFV) Program, he threatened to have his mother phone the Warden to resolve the issue if that was what it took to get PFV's. The denials of his PFVs in June 2000 has been a continued point of frustration and irritation for Mr. Callow. He approached his Parole Officer to request a Case Conference with the Unit Manager about this denial. When asking for the meeting he stated that he was submitting a complaint form because it was taking too long for him to get his PFVs. When it was suggested that he should attend the meeting first, as the complaint would be responded to by his Parole Officer anyway, he indicated that he was submitting it anyway. The meeting took place on 2000/11/15 and a plan was put in place to address Mr. Callow's concerns; he had not submitted the complaint form. This demonstrates that with time Mr. Callow will think through a

situation and deal with it in a productive manner.

During the above noted meeting, Mr. Callow's thinking patterns did stir some concern for the Case Management Team. He displayed a number of thinking errors and concrete thinking in the discussion. When challenged about this, he seemed almost offended. For example, he could not accept the idea that it might be traumatic for a young boy to find out that his father is in jail and why. Also, in discussing his mother's visiting status and the Community Assessments completed to date, Mr. Callow continually insisted that he knows exactly what his mother thinks and what she wants. At the conclusion of the meeting, Mr. Callow's attention was directed towards some of the incorrect perceptions that he had fostered and built-up (case building; jumping to conclusions) due to his frustration with the issue at hand. He admitted that this had occurred. Once again with time and someone to confront him, he is then able to admit to his error.

Most recently, Mr. Callow approached his Parole Officer asking for another Case Conference with the Unit Manager present to discuss errors on file. He stated that he was sending a letter to the Commissioner of Corrections. When it was suggested that he should wait until we try to address this at our level, he stated that he is "sick of being jerked around". He agreed to meet but stated that he was going to send the letter anyway. To date, he is working with his Case Management Team on this issue and has indicated that the letter was not sent.

Many of the behaviours described above demonstrate the manner in which Mr. Callow, at times, has "half-steps" back in his progress. He at times displays manipulative behaviour typical of one having issues with power and control (i.e. trying to get things accomplished with his Case Management Team by threat; trying to garner sympathy from staff outside the Case Management Team; inconsistent reporting to the Case Management Team as compared to the Native Liaison or previous Team members; etc.).

A point of concern also lies with the manner in which Mr. Callow is reported to have a high level of remorse and empathy for his victims, but fails to extend this as fully to his family members.

Overall, given Mr. Callow's overall treatment and offence history, it becomes clear that such small points of concern should not be treated lightly. Mr. Callow has previously been noted to have a good intellectual understanding of his offence cycle and risk factors, but has had difficulty controlling the same and seeking interventions at the appropriate time.

Until such time as Mr. Callow becomes very consistent in the submission of his logs to the Relapse Prevention Facilitator for an extended period of time, becomes quicker to identify his own thinking errors (particularly when they are pointed out to him), and sustains a substantial period of time with no suggestion of manipulative or controlling behaviour, it is not recommended that this detention order be modified.

The completely different tone of these two reports, both written by institutional parole officers is disturbing. The first faithfully incorporates and cites the assessments of the professional program facilitators who have worked with Mr. Callow and presents a

picture of a man, who despite the setback suffered in the detention hearing, remains positive, highly motivated in continuing in his treatment, cooperating with his case management team and making good progress. The other, while including a begrudging acknowledgment that Mr. Callow has taken and done well in all required programs to address his risk, highlights a series of interactions with an acting and inexperienced institutional parole officer writing the report. These interactions are characterized by IPO "A" in this way:

He at times displays manipulative behaviour typical of one having issues with power and control (i.e. trying to get things accomplished with his Case Management Team by threat; trying to garner sympathy from staff outside the Case Management Team;

The unstated inference here is that there is a link between the power and control dynamic that characterized Mr. Callow's violent sexual offending with his most recent interactions with his female institutional parole officer. However a closer analysis of those interactions reveals just how unfounded and unfair that inference is. One of the interactions referred to is Mr. Callow's efforts to have corrected erroneous information contained in the December 1999 assessment for decision of his previous IPO that was sent to the parole board for his detention hearing. The most important correction Mr. Callow was seeking was the statement that he had assaulted staff members at Warkworth. I have earlier commented on this unfounded and prejudicial statement. Mr. Callow's persistent efforts to have this corrected in the official record and his reaction to being sloughed of by his IPO by going to other staff members who were aware that this was an erroneous statement of what happened at Warkworth, and stating that he would take this to a higher authority within the Correctional Service of Canada, is characterized by his IPO as "thinking errors", as "manipulative behavior" having to do with "power and control". In my dealings with other prisoners I am often called upon to correct just such erroneous statements in the official record, statements which if uncorrected become repeated in future reports and decisions and can result in great injustice. When I am engaged in this process of correcting the record it is seen as the discharge of my professional responsibilities to ensure fairness in the treatment of prisoners. Mr. Callow did not have the benefit of legal assistance and was left to seek this correction on his own. His quite appropriate and legitimate endeavours however are mischaracterized as thinking errors demonstrating that he has not incorporated and integrated what he has learned in his programs. This only compounds the unfairness. Yet this document was one that was considered and heavily relied upon by the National Parole Board at Mr. Callow's first annual review of his detention order.

Just prior to that hearing Mr. Callow received a further program performance report from the facilitator of the sex offender relapse prevention program:

Mr. Callow is open to discussing frustrations he experiences within the institution and provides examples of how he uses problem solving to manage these frustrations, whether it be talking it out with someone or submitting written paperwork to resolve some of his concerns. He reported that he does feel there is some expectation from staff for him to be "perfect" and not have any thinking errors, and he knows this is not realistic, that everyone has thinking errors at some time. He acknowledges he can continue to improve his communications skills. Mr. Callow has been observed in the relapse prevention group to challenge his thinking errors and work through some of his issues. He has begun to keep a

regular log book and this is something he is encouraged to maintain. Mr. Callow continues to successfully manage his risk factors in an institutional setting and as a result requires less frequent attendance in relapse prevention; he is now enrolled in a bi-weekly relapse prevention group.

Mr. Callow's first annual detention review took place on **March 22, 2001**. As the decision of the Board confirming the detention order makes quite clear the Board gave disproportionate weight to what I have suggested is the unfair and unbalanced report in which Mr. Callow's IPO negatively characterized his progress over the course of the year since his initial detention. The Board's decision stated:

You completed a life skills training program and the report dated June 6, 2000 states you continued to make progress. Your attitude towards the female instructor was described as "one of respect and integrity." You were assessed for an aboriginal sex offender program but the facilitator felt that as you had completed five programs previously and had a good understanding of your crime cycle, you would not benefit from the program. He recommended that you demonstrate that you could put into practice what you had learned in the programs. You volunteered to be a tutor in the program. You were also interviewed for a substance abuse program, but decided that as you had taken three previous programs, you did not need further treatment. You are currently employed in the cabinet shop and receive good reports.

Despite the positive reports cited above, concerns have been identified about your thinking and behaviour since you were detained. The report dated January ii, 2001 stated that you used threats [but not of violence] inconsistent reporting and manipulation to try and get your way. It further states that while you have a good understanding of your behaviour cycle when "emotionally neutral," it declines when you are upset. The report notes that you have a well documented history of being able to hide the symptoms of your build up stage and this makes it very difficult to supervise you in the community. The report continues that you need to improve putting into practice what you have learned in programs and behave in a more consistent manner over an extended period. Your Case Management Team believes that you still meet the third criteria for detention and recommends that your detention order be confirmed. At your hearing the institutional elder indicated that you participated in ceremonies but that he had not had any counselling sessions with you.

Your response to questions from the Board indicated that while you have an understanding of your criminal behaviour, there appear to be underlying emotional problems that are yet to be resolved. Your case management team confirmed that they have seen some progress over the past year but they are concerned about lapses to dysfunctional thinking when you have to deal with difficulties. You have good intentions, but the Board doubts your ability to carry them out when under stress. The Board also believes that you have more to learn from traditional teachings. While there has been progress since you were detained, the Board is satisfied that you still meet the third criteria and your detention order is confirmed.

Following this decision Mr. Callow successfully completed the Cognitive Skills program

In a Program Performance Report dated **August 21, 2001**, the program facilitator, gave this positive assessment of Mr. Callow's participation and progress:

There have been no changes in Mr. Callow's behavior. He is co-operative and open with his case management team. Mr. Callow is for the most part polite and respectful with staff. He was recently detained by the NPB and he dealt with this in a very positive and calm manner.

Mr. Callow made significant progress in the area of problem solving. Problem solving was assessed as being a need area during Mr. Callow's intake assessment.

Mr. Callow was able to understand the importance of recognizing internal and external cues, and he was able to demonstrate the skill both inside and outside the classroom. He showed apt ability to effectively distinguish fact from opinion and ask appropriate questions to adequate sources. Mr. Callow made positive progress in creating accurate and precise problem statements. He was able to generate many alternatives to problem situations, and was able to effectively choose solutions that meet the goals of others as well as himself.

Mr. Callow's homework assignments consistently showed a clear understanding of all the problem solving skills, as well as an ability and willingness to use the skills in his daily life.

Mr. Callow made positive progress in all of the social skills. His gains in this area contribute to addressing the needs, which were identified in the dimensions of ability to solve interpersonal problems, egocentricity, social perspective taking, impulsivity and cognitive style.

Again Mr. Callow's homework assignments as well as his interactions with staff and other inmates showed a clear understanding of all the social skills. Moreover, his consistent effort to use the skills showed substantial motivation to integrate the skills into his daily life.

Many offenders evidence cognitive rigidity - they stubbornly cling to their ideas regardless of contrary evidence. They persist in conceptualising new situations or problems in terms of views that they have developed from former situations without considering the appropriateness, objectivity or adequacy of the old view for the new circumstances. Such preservation of thinking often indicates basic difficulties in formulating alternative concepts. This may give rise to major problems in the offender's ability to comprehend problems, complex situations or changing circumstances. It may also lead to a low level of tolerance for stress when faced with a change in environment. Offenders may respond poorly to advice or counselling not only because of poor attitudes or poor motivation, but because their inability to alter their perspective makes them, in effect, impervious to new ideas, particularly other peoples ideas.

Participants in these sections are helped to broaden their perceptions, in order to enlarge their view of situations and people, to think of more aspects and different ways of looking at them. They are taught a set of thinking tools to help stimulate or remind the participant to systematically apply creative thinking strategies in many situations. They are taught to make their thinking deliberate rather than responsive; reasoned rather than reactive; open rather than closed-minded and responsive to a broad rather than a narrow perception of the situation. It also provides the participants with tools to ex-mine the thinking of others.

Mr. Callow made significant positive progress in this area. He was able to think of the positive, negative, and interesting aspects of an idea before making judgements. He demonstrated an ability to consider all the relevant factors of a situation before making a decision or taking action. Mr. Callow was effectively able to consider the immediate, short-term, medium-term, and long-term consequences of alternatives, for himself and others. The skills gained in this area address Mr. Callow's need in the dimensions of problem solving, cognitive style, social perspective taking, and impulsivity...

He began to explore the reasoning behind his own beliefs. He was able to listen openly to the thoughts, values, and beliefs of others. He also demonstrated an ability to explore the reasoning behind others values and beliefs as well. Mr. Callow often considered the thoughts and feelings of others without prompting. His ability and willingness to do this showed a real motivation and genuineness.

Overall Mr. Callow made significant progress in addressing all of his assessed need areas. Mr. Callow was pleasant to have in the program. He attended every session and participated well in both individual and group exercises. Mr. Callow's homework was consistently completed on time. It was thoughtfully and thoroughly done. His homework inside and outside the classroom showed clear understanding of the skills, as well as a motivation to use the skills and integrate them into his daily life.

Mr. Callow was patient and helpful with other group members, further showing the use of many of the skills he gained. In sum Mr. Callow was a motivated participant whose hard work has resulted in significant positive gains.

In December 2001 Mr. Callow was assessed by another institutional psychologist for the purposes of the 2002 annual detention review. In his report dated **December 4, 2001** this psychologist, after concurring with the previous 2000 psychological report that Mr. Callow was a high-medium risk on actuarial assessments, went on to write :

#### Inmate Strengths that May Mitigate Risk

Mr. Callow has participated and completed a great deal of programs designed to target his criminogenic factors. Although, he failed to complete some sex offender programming earlier in his sentence, he has more recently successfully completed applicable programs. He has received positive progress reports in these programs, although it has been noted that he could utilize his daily logs better for relapse prevention purposes. During the present assessment, Mr. Callow was able to identify his risk factors as identified in programs. I also reviewed his recent daily logs and found them to meet minimal requirements.

Mr. Callow is an active participant in a relationship with a native elder and also involves himself in other native spiritual activities. He values these activities and indicates that he considers the native elder to be his closest emotional support at the institution. This process gives him a degree of self-identity, an avenue for his energies, and some sense of hope for further community integration. He would like to be released to a halfway house that provides native cultural activity and support.

Although he has been diagnosed as having an Antisocial Personality Disorder, he is not devoid of prosocial values and emotional attachments. He has maintained contact with his children and he reported that he has sent substantial amounts of money towards their support. He also reported that he has managed to achieve his electrician ticket via training in the institution. He is reportedly a decent worker within the institution and there have been no serious recent institutional charges.

Mr. Callow is relatively open in his self-disclosures, although I strongly believe that he is less open about sexual and intimate matters (very common for treated sex offenders). An understanding of his criminal behaviour is relatively easily arrived at and this would facilitate monitoring and further relapse prevention programming.

## CONCLUSIONS

Mr. Callow stands convicted of several sexual assaults. There is a significant history of additional criminal offences throughout his adult life. Mr. Callow is statistically a high-medium risk for further violent re-offence. He would also be considered a high risk for future spousal abuse. In my opinion his risk to re-offend has not changed since his detention.

In order to manage his risk both within the institution and in the community, there are several possible strategies.

While, I do not believe that further high intensity programs for sexual offending will be of substantive benefit, I do recommend ongoing relapse prevention.

I would also suggest that a trial of an antiandrogen be considered to evaluate its efficacy in reducing the strength of any inappropriate sexual preferences.

I would recommend that he continue to be provided with native cultural resources.

Any supervised community release would be wise to include urinalysis. Any community release should also include intensive supervision and ongoing contact with a psychologist specializing in the provision of relapse prevention and assessing of sexual offenders.

His relationships with any female (staff, friends, acquaintances, future intimates) need to be monitored. It would be fortunate if he had more contact with female staff so that he could have further opportunity to improve his ability to interact with females and also so that more information could be garnered about his present behaviour in this area.

Monitoring of his activities would likely give a good indication of his risk. I would expect that his highest risk would be preceded by an obvious deterioration in behaviour. However, I believe that he is potentially capable of sexually offending even with otherwise apparent good functioning.

That Mr. Callow was not required to participate in any further sex offender program beyond relapse prevention is further confirmed in another psychological report dated **January 9, 2002**. This report prepared by one of the co-facilitators of the program that Mr. Callow had successfully completed in 2000, and co-signed by the senior psychologist at Mountain Institution, stated:

Mr. Callow has successfully completed the Mountain Institution Moderate Intensity Sex Offender Program and in fact participation in another such program may lead to program burnout. It should be noted that because Mr. Callow has demonstrated a good understanding of Sex Offender Program materials he has been hired as a tutor for the Mountain Institution Aboriginal Sex Offender Program beginning in January of 2002. He has previously served in this capacity on a volunteer basis.

Mr. Callow's current needs are best met by continued participation in the Relapse Prevention Program. According to the 2001/03/22 report from the facilitator, he has been an active participant in Relapse Prevention. She states that he has been managing his risk factors well enough that he now requires less frequent attendance in relapse prevention and has been shifted to a bi-weekly, rather than weekly relapse prevention group.

It should also be noted that Mr. Callow has been involved in native cultural activities since his arrival at Mountain Institution, meeting with Native Elder, Arnold Richie and participating regularly in the sweat lodge ceremonies.

In summary, Mr. Callow does not need to participate in another Moderate Intensity Sex Offender Program. He is currently actively involved in Relapse Prevention, which is the appropriate treatment option for him at this time.

Notwithstanding the clear indication from psychologists that Mr. Callow had completed all appropriate sexual offender programs and that his continued involvement in relapse prevention was "the appropriate treatment option for him at this time" he still was not able to gain the support of his new acting institutional parole officer. In an Assessment for Decision dated 13 December 2001, prepared for his 2002 detention review IPO "B" wrote:

Mr. Callow completed the Cognitive Skills program on 2001/08/17. The final performance report stated that Mr. Callow was a motivated participant whose hard work has resulted in significant positive gains. He was reported to require minimal further intervention.

Mr. Callow's institutional behavior, however, gives rise to some concern regarding his ability to exhibit the skills he has learned. For his Annual Detention Review in 2001 his Case Management Team expressed a number of concerns over his behavior, including "utilizing threats to get his needs met, exhibiting a pattern of involving others in his case, trying to garner sympathy from staff outside the Case Management Team, and displaying manipulative behavior typical of one having issues with power and control." Much of this same behavior continues to be evident. Mr. Callow's security classification was reviewed on 2001/08/31. He was upset with the report, but instead of requesting a meeting to

discuss it he began to threaten to call the Commissioner of Corrections if the ratings were not changed. He did not meet to discuss the report, but instead appeared to be avoiding me and subsequently had three different Native Liaisons contact me to discuss the report. This was despite the fact that it had been previously explained to Mr. Callow that case management issues were best dealt with by his Case Management Team, rather than people from other departments. When later asked why he chose to ignore this direction, he stated that he had had bad experiences with his Parole Officers before and preferred to have someone else present in the room. This belief could be interpreted in a number of ways, but at best it seems very distrustful.

After discussions with Native Liaisons it would appear that Mr. Callow sometimes circulates his same complaint among several staff members until he gets the outcome he desires. This was evident in the issue over his security rating as well as past issues (like when he had some personal items confiscated and wanted staff to help him get it back). Overall, this situation shows that Mr. Callow continues to exhibit some thinking errors and lapse into his old patterns of behavior when he becomes frustrated or when his needs are not met. Mr. Callow has previously been noted to have a good understanding of his offence cycle and risk factors, but has had difficulty controlling the same and seeking interventions at the appropriate time .

Although Mr. Callow has participated in programming, the CMT is of the opinion that it is necessary for him to further display an integration of the programs' material into his daily behavior. Until such time as Mr. Callow can display the concepts learned through programming into his daily activities, the Case Management Team believes continued work is required. He is also in need of a more thorough and detailed release plan and a demonstrated understanding of the risks and stressors that he will encounter once released.

There is not sufficient new information that would give reason to lift Mr. Callow's detention order since the last order. Mr. Callow's manipulative behavior combined with his displays of thinking errors is of concern as these directly conflict with his ability to self-manage his own risk. Without a concrete foundation of self-managed risk and the utilization of appropriate interventions Mr. Callow presents an undue risk to society before the expiration according to law of the offender's sentence.

Following a second annual review of the detention order by the National Parole Board on April 17, 2002 the Board again confirmed the detention.

In reviewing this detention order to the board must determine whether there is sufficient new information concerning the risk that you present that would justify modifying the order or making a new order. In your case a number of new developments have occurred. In terms of your Correctional Plan it is noted that you successfully completed the Cognitive Living Skills Program in August of 2001. The final report indicates that you were a positive participant and made significant gains in terms of mastering program content would justify modifying the order or making a new order. In your case a number of new developments have occurred. In terms of your Correctional Plan it is noted that you successfully completed the Cognitive Living Skills Program in August of 2001. The final report

indicates that you were a positive participant and made significant gains in terms of mastering program content. The facilitator Reels that minimum further intervention is required in this area. You have also regularly attended the Sex Offender Relapse Prevention Program during the last year. The most recent report indicates that you are active in group discussions and appear to know your risk issues and behaviour cycle. The facilitator notes that your logs are too general in nature and lack the necessary detail to accurately track the daily fluctuations in your risk. Reports also say that you participate actively in spiritual and cultural activities and are a regular attendee at the institution's Sweatlodge Ceremonies. These activities are believed to have helped you substitute old antisocial values and attitudes with healthier and more prosocial attitudes. You have also developed positive community support through these activities.

The most recent psychological assessment notes that actuarial measures indicate you pose a high-moderate risk for violent reoffending. In terms of both clinical and actuarial measures your risk to reoffend remains high-moderate and has not diminished since your detention. The Spousal Abuse Risk Assessment Guide indicates a high risk for future domestic violence. The psychologist says that your highest risk would be preceded by an obvious deterioration in your behaviour. However, he says also that you are capable of reoffending sexually even with otherwise good social functioning. He recommends further relapse prevention programming and a trial on anti-androgen medications to reduce your high levels of sexual arousal.

You have been recently assessed for the need for a further moderate intensity sex offender program. This assessment indicates that you do not need this type of treatment at this point in time. Instead, further and ongoing relapse prevention programming is recommended.

In terms of institutional behaviour, reports indicate that you are not a security concern and are generally positive in your attitude. Problems arise however, when you are unsuccessful in getting certain needs met. When frustrated you can engage in threatening behaviour (non-violent threats), become passive-aggressive and try to manipulate others to get what you want. This shows, in the Case Management Team's opinion, that you have not yet been able to apply the skills and knowledge you have gained in programming in your daily life. They are concerned that if you are in the community, unsuccessfully resolved frustrations may result in an increase in your risk to reoffend. You apparently have difficulty seeing this behaviour as a problem.

A detailed community strategy has been developed that includes close supervision, Community Residential Facility placement, police reporting and programming and counseling to meet your ongoing needs. The Community Parole Officer assessing your case for community supervision indicates however, that your risk is seen as high and unmanageable at this time. He notes that you appear to have an unrealistic view of the reintegration process given your 15 years of imprisonment. He also notes that despite your positive long-term goals, you do not appear to have a realistic plan for reaching those goals. This puts you at risk for frustration and a possible further elevation in your risk to reoffend.

During the term of your incarceration a number of behaviour problems occurred involving female staff. On one occasion you were terminated from a sex offender program due to the fact that you had developed an attraction to a program facilitator that interfered with your program performance. A few years earlier you developed a distorted relationship with another female staff member. During your first federal sentence you sexually assaulted a female staff member (1978).

In recent years you have been participating in your Correctional Plan with positive results. Ongoing difficulties in applying your skills and knowledge remain a concern especially in situations wherein you feel frustrated and/or angry.

At the present time your risk to reoffend with violence is judged to be high moderate. Your release plan is deemed incomplete and unrealistic. Both the institutional Case Management Team and the community parole service are of the view that your risk for violence remains unmanageable in the community and recommend that your detention order be confirmed.

At today's Elder assisted hearing you expressed dismay with the negative opinions expressed in recent reports about your behaviour within the institution. You provided different possible interpretations of your behaviour that were more benign than the interpretations made by members of the Case Management Team. You pointed out that there are many positive comments made about your gains in programs and that these are being disregarded. You admitted that this frustration has led to a general sense of discouragement which in turn has led to your less than full participation in the self monitoring of your risk issues. The current relapse prevention facilitator made the comment that you tend to under rate your risk factors and expressed the view that she is unsure how you will manage your risk in the community.

In the end the Board finds that there is not sufficient new information to justify modifying the detention order. Your risk remains at the high-moderate level, you are not fully participating in the daily monitoring of your risk, trust is absent in several key working relationships within the institution and there is doubt about your ability to manage your risk in the community. The detention order is therefore confirmed.

As can be readily seen from this decision the acknowledgment of the positive features in Mr. Callow's case since his last review are heavily discounted by (1) his scores on actuarial assessments which in the case of someone with Mr. Callow's criminal history and not likely to change even in the face of program participation, and (2) the assessment of his institutional parole officer regarding institutional behavior reflected in the Board's statement that:

When frustrated you can engage in threatening behaviour (non-violent threats), become passive-aggressive and try to manipulate others to get what you want. This shows, in the Case Management Team's opinion, that you have not yet been able to apply the skills and knowledge you have gained in programming in your daily life. They are concerned that if you are in the community, unsuccessfully resolved frustrations may result in an increase in your risk to reoffend. You apparently have difficulty seeing this behaviour as a problem.

This paragraph reflects no more than a recycling of much of the same material placed before the Board the year before in which Mr. Callow's legitimate efforts to have his case fairly evaluated by ever-changing institutional parole officers, none of whom ever get to know Mr. Callow as an individual but judge him based on largely a file review, paying little regard to the assessments of those program facilitators with whom he works and who know him best, are denigrated as threatening or manipulative behavior. In actual fact the so-called "threatening behavior" this time was Mr. Callow's perfectly lawful and appropriate efforts, resorting to the correctional services own internal grievance system to challenge what he saw as an arbitrary and unjustified raising of his escape and public safety risk of his security classification following his 2001 detention review. Yet In the eyes of his case management team and the parole board such non-violent resort to the very grievance mechanisms provided by the Service, in Mr. Callow's case, becomes evidence of his lack of internalizing pro-social and appropriate behavioral norms.

The appropriateness of Mr. Callow's efforts to challenge his IPO's change to his security rating, inappropriately characterized by his institutional parole officer and the parole board as "threatening behavior and manipulation" and "thinking errors", can be best judged in a letter he sent to the warden of Mountain Institution , dated May 21, 2002

I am writing to you with regards to my security classification categories being raised indiscriminately. Prior to arriving at Mountain Institution on March 22, 1999 my security levels were LOW for Institutional Adjustment, LOW for Escape Risk and, MODERATE for Public Safety.

IPO "B" raised my security levels on August 31, 2001. IPO "B" set my levels at LOW for Institutional Adjustment, MODERATE for Escape Risk and, HIGH for Public Safety. Her rationale for raising my escape risk from LOW to MODERATE was that, I am serving a lengthy sentence. I am in fact serving a lengthy sentence of twenty years. However I have in fact served more than fifteen of those years already. I have less than five years left until warrant expiry.

I worked long and hard to complete many programs and some of these programs I completed several times to have my public safety risk lowered from HIGH to MODERATE HIGH and, eventually to MODERATE. She went on to raise my Public Safety risk from MODERATE to HIGH simply because I was detained. [Mr.Callow then sets out the relevant sections of the Standard Operating Practices governing security classification]

May I now reiterate that my ratings were Low [institutional adjustment], low [escape risk], and Moderate [ public safety] prior to arriving at Mountain Institution. I have since successfully completed several more programs with very positive reports. Please find enclosed a summary of excerpts from reports with regards to the gains I have made since my incarceration. I have spoken to Ms. Tebbutt to try to resolve this issue of which she took offence to my requesting that the Native Liaison Officer be present.

My performance has been rated as excellent across the board because of my high motivation and I have managed to stay on level A pay for approximately thirteen years because of my motivation and hard work.

I would appreciate it very much if you would review this matter or have the Unit 1

Unit Manager review it.

In response to this letter the following report was prepared by the Coordinator of Case Management at Mountain Institution, dated **November 11, 2002**:

1. As a result of your request, I have reviewed Mr. Callow's security classification. There is concordance between two parole officers with the overall assessment as medium. However, there is disagreement with the sub-ratings of his security reclassification, in particular, the risk that he presents to the public safety. Unit Manager H reviewed this case in April, 2002 and approved Mr. Callow's security classification as medium, with the sub-ratings of Institutional Adjustment as Low, Escape Risk as Low and Public Safety as Moderate. The rating of Public Safety as Moderate was in conflict with the recommendation of Parole Officer "B" who was of the opinion that Mr. Callow had a High Public Safety factor due to the violence in his index offences, his previous violent offences and his inappropriate contact with females while incarcerated. She acknowledged that he had participated in programs, however, indicated he had been detained by N.P.B. due to the risk he would present in the community. Unit Manager H, however, argued that the assault on the female staff member is historical in nature and similarly his violent and sexual offenses are approaching 20 years. She pointed out that Mr. Callow has addressed his dynamic factors through various programming with positive results and continues to participate in the Sex Offender Relapse Program and monitors his thoughts and feelings.

2. I have reviewed Ms. G's recent security reclassification, in particular the sub-rating of Public Safety which she has rated as moderate. She is of the opinion that Mr. Callow has made positive progress and has improved his involvement in the SOP Relapse Prevention Program to the point where he has been moved from the weekly group to the bi-weekly group. In fact, he participated in the family violence program when it became available.

I have reviewed all the available file documentation. According to his program facilitator for the Moderate Intensity Sex Offender Program, Mr. Callow made significant gains in his understanding of his risk factors and his behavioral cycle and developed realistic deterrents and interventions for each stage of his cycle. Furthermore, Mr. Callow has continued to participate in the Sex Offender Relapse group and he was hired as a tutor for the Aboriginal Sex Offender Program beginning in January of 2002. Psychological assessment indicates that Mr. Callow does not require another moderate intensity sex offender program. In fact, Mr. Callow has been managing his risk factors well enough that he now requires less frequent attendance in the relapse prevention group. As a result of Mr. Callow's continued participation in the SOP Relapse group and his participation in a host of other programs identified in his Correctional Plan, I am in agreement with Ms. G's and Ms. H's assessment of a moderate Public Safety Factor.

This is clearly a validation of Mr. Callow's complaint that his parole officer had unjustifiably raised his public safety rating in 2001. His perseverance in seeking to get this issue resolved, including eliciting the assistance of native liaison officers and other senior correctional staff and appealing to higher authority, are neither manipulative nor threatening, yet this is how they were perceived by the parole board in supporting their conclusions that Mr. Callow had made no progress in reducing his risk. Far from

constituting, as his parole officer characterized them, “thinking errors” requiring further imprisonment to demonstrate “integration of program benefits” they demonstrate Mr. Callow’s successful application of CSC’s own approved means of resolving legitimate grievances.

Following his 2002 detention review, and despite the lack of recognition by both his institutional parole officer and the parole board for his successful completion of the programs on his correctional plan, Mr. Callow still maintained a positive attitude. He was assigned a new institutional parole officer who encouraged him to apply for a transfer to William Head Institution in order to attend the In Search of Your Warrior Program. This is an Aboriginal-based violent offender program and his new institutional parole officer supported the transfer as “it is hoped that this program will give Mr. Callow the tools he needs to become a manageable risk in the community.” Although William Head had been reclassified as a minimum security institution it was prepared to take selected medium security prisoners for program purposes. However, its warden refused to accept Mr Callow relying on the fact that Mr. Callow’s public safety factor had been raised from moderate to high, the very elevation that Mr Callow had been challenging. Significantly, in light of the persistent assertions that Mr Callow was an “untreated sex offender “ the Warden also concluded that that “Mr Callow has already completed the specific programs to deal with the risk he represents to the community” that “the Search of Your Warrior Program was not appropriate” and that “ I do not see his program needs being more important than public safety and I oppose this transfer”.

Notwithstanding this setback Mr. Callow applied for and over a two-month period in July - August 2002 completed the Aboriginal Family Violence Program. In the Final Program Performance Report, dated **October 4, 2002**, the Program Facilitator gave this very positive assessment:

The sharing in group discussions and the written work Mr. Callow did in the program demonstrated that he has a good understanding of his ability and responsibility to take control of his life by confronting his thinking errors, by choosing to focus on the positive, by monitoring his self-talk by staying alcohol and drug free. He realizes that alcohol and drugs are a big risk factor he must be constantly vigilant about if he is to stop his violent behavior. Mr. Callow has facilitated a lot of change in his life by applying what he has learned in other CSC programs. This program helped reinforce and further internalize these changes. This behavior during this two-month program showed the work he has done on anger management. He was aware when he was experiencing anger and he had the opportunity to demonstrate that he was making a choice to express his anger in a healthy effective manner rather Than resorting to abusive acting out behavior Mr. Callow displayed in various meaningful ways in the program that he was experiencing true remorse for the victims of his crimes.  
Mr. Callow participated in the program in an active committed manner. He attended every day and did all the readings and written assignments. It was evident that the work he put into the program activities and healing ceremonies was productive and effective in his effort to bring about healthy changes in his life.

Once again the contrast between the positive assessments of progress by CSC’s treatment staff, who work with Mr. Callow on a daily basis in an intensive treatment context, with the negative assessments by inexperienced and often acting parole officers

who have only occasional contact with Mr. Callow could not be starker. It is particularly noteworthy that the program facilitator in the Aboriginal Family Violence Program was a woman and none of the boundary problems that had caused concern in two of the previous programs at Warkworth institution were present. Yet in subsequent CSC documents, references to these failure problems predominate with no recognition of their absence in all subsequent programs.

The performance report generated by Mr. Callow's participation in Aboriginal Family Violence Program contrasts with the portrait of Mr. Callow presented 3 months later in an Assessment for Decision dated **December 12, 2002**, prepared for his 2003 detention review . It states:

Mr. Callow was a high profile rapist and a Warkworth inmate when he was sent to Mountain Institution in 1999 for programming. He was expecting to be returned to the Ontario Region upon the completion of the Moderate Intensity Sex Offender Program. However, in addition to completing this program, Mr. Callow has also completed the Aboriginal ABE Program, Balanced Life Styles, the Aboriginal Substance Abuse Program and the Aboriginal Family Violence Program. He continued his involvement with the Sex Offender Relapse Prevention program and has tried to transfer to William Head Institution for the In Search of Your Warrior Program. With his participation in this program, it was hoped that he would learn how to deal with his anger, frustration, and other negative feelings that allow him to lash out violently towards others in a culturally appropriate setting, using Native spirituality and teaching methods; thereby allowing the removal of his Detention status. Unfortunately, Mr. Callow was not able to access this program as the Security Classification at William Head was changed to minimum, precluding Mr. Callow's involvement. He has remained willing to take the program however.

More recently, Mr. Callow has lost hope and has not presented any plans for a conditional release at this time. He is refusing to attend Sweats as he is using marijuana and has indicated he believes he is getting nothing out of the Sex Offender Relapse Prevention Program sparking his suspension from this program and subsequently his Upper Compound Clearance (This clearance is granted to offenders at Mountain institution who can demonstrate maturity and trust to allow freer access to areas normally restricted to institutional staff members.). He is currently attempting to return to the Ontario Region to be closer to his children. At this point in his sentence he believes he will be incarcerated until his last day, no matter what he does.

As this assessment noted, Mr. Callow at this point, 15 years into his sentence, gave up hope of ever being released until he had served every day of his 20 years. He had completed every program required of him. His transfer to lower security had been blocked. His best efforts and steady progress, while receiving recognition from program facilitators, did nothing to change the negative impression and assessment of the succession of institutional parole officers assigned to his case. Discouraged, Mr. Callow did not even attend his 2003 detention review, feeling that nothing he could say would make any difference to the Board. In a decision dated **March 31, 2003** the Board maintained his detention writing:

At an annual review the board must determine if there has been sufficient new information to warrant changing your detention order based on a reduction of risk. There is not sufficient information in your case over the past year that informs the board of any change which is positive

In fact, you have taken a step backward as you have been smoking marijuana and therefore removed yourself from first nations ceremonies such as the sweat lodge. Your risk to reoffend continues to meet the detention criterion.

Mr. Callow did not appear at his 2004 detention review and in their decision continuing detention, the Board , in a decision dated **March 19, 2004** wrote:

The board has received a report indicating you have not made any progress on your correctional plan, have refused participation in the sex offender and maintenance program due to the requirement of logging and you have admitted substance abuse, marijuana, during this past year. You continue to state you have lost hope and believe he will be incarcerated until warranty expiry no matter what you do. You have not shared a release plan with your case management team. You refused to attend a psychological risk assessment in September 2003. The psychologist opined, based upon your file and above-noted behavior, that your risk to reoffend violently and sexually remains high, and is unmanageable in the community given your negative attitude and behaviors. Based upon the information submitted that documents show lack of progress in addressing your correctional plan and recommended programming during this past year, the board concludes you continue to meet the criteria for detention.

From 2003 until the end of his sentence the correctional and parole board documents, as reflected in the 2004 detention review decision, paint a bleak picture of Mr. Callow withdrawing from relapse prevention treatment and admitting using marijuana. As Mr. Callow has explained in a post-release interview, while he had given up hope on being released by the parole board before warrant expiry, he had not given up on himself. He did not give up on pursuing the path of Aboriginal spirituality - the Red Road - and continued meeting with the elders. He drew strength from the fact that through all the programs and treatment he was a very different person with greater insight into the genesis of his crimes, with an understanding of the impact on his victims that he had never had when he committed those crimes, and now had the resources to prevent relapses and that the therapist and facilitators of Mountain institution recognized this, even if he was unable to convince the Parole Board. His decision to withdraw from relapse prevention was based on a logic drawn from CSC's own rationale for the need for such treatment. That rationale was that relapse prevention is an ongoing process that provides a bridge between prison and community reintegration and that for offenders like Mr. Callow relapse prevention is an important part of that reintegration. For offenders who are released on parole before warrant expiry the expectation is that they attend community-based relapse prevention sessions provided by CSC to ensure continuity between prison and the street. But since Mr. Callow's expectation was that he would be released only at warrant expiry, without ongoing community support from the Correctional Service of Canada, his participation in the relapse prevention program within prison held out no prospect of being the supportive bridge into the community that it was for other prisoners. It should also be emphasized that in a report in November 2002 prepared by the coordinator of case management at Mountain institution it had already been recognized that "Mr. Callow does not require another moderate intensity

sex offender program. In fact, Mr. Callow has been managing his risk factors well enough that he now requires less frequent attendance in the relapse prevention group.” It is therefore quite unfair to see Mr. Callow’s withdrawal from relapse prevention in 2003 as cancelling out the previous treatment gains he had made.

Mr. Callow made no appearance at his 2005 detention review and in their decision dated **March 11, 2005**, the Board continued his detention on the basis that "during the last year you have made no progress at reducing your risk to reoffend and there is no significant new information indicating a reduction in the risk that would justify canceling or modifying the detention order”.

In the A for D dated **July 28, 2005** for Mr. Callow’s 2006 detention review yet another acting parole officer wrote:

Since the last NPB detention review Mr. Callow has made no significant gains. He still refuses sex offender treatment, as he believes that he has nothing to gain from the program. Inmates who play an active role in that case management process tend to be more successful in pro-social change. Mr. Callow’s attitude towards programming and his unwillingness to address his dynamic factors put him at a greater risk to reoffend.

Mr. Callow made no appearance at his 2006 review and in their decision dated **February 9, 2006** the Board wrote:

To your credit, during this review period, your institutional behavior was deemed appropriate and you continue to receive positive reports from your work supervisors. Of concern is that despite positive program participation, your current attitude towards rehabilitation and reintegration is poor. Your case management team notes your continued refusal to participate in programming and treatment interventions. It is their belief that your current attitude towards programming and your unwillingness to address your risk factors place you at a high risk for re-offense. The board is not satisfied that there is sufficient new information concerning the level of risk that you present that would justify modifying the detention order or making a new order

In his last year of imprisonment there were a number of allegations of “deteriorating behavior” made in a Correctional Plan Progress Report dated **October 19 2006**. It was alleged that Mr. Callow had overdosed on heroin and was found in his cell “unconscious with only faint pulse and shallow breathing” and that "there has been an increasing amount of information regarding his involvement in the institutional drug and tobacco trade”. As a result of these allegations Mr. Callow was placed in segregation on two occasions during that last year. In response to the so-called “reliable information” that he was involved in muscling to collect drug and tobacco debts, Mr. Callow sought to defend himself by pointing to these salient facts. First, although he had acknowledged in the past that he had smoked the occasional joint of marijuana while in prison, and further admitted that did so on three occasions at the end of 2006, for 19 years there had never been any allegations that Mr. Callow was in any way involved in the institutional drug trade as a supplier of drugs or as an enforcer of debts. Why in the very last year of his imprisonment would he begin a new institutional career in the drug trade? Second, at age 51 and 140lbs he was hardly cut out physically to begin such a career.

Mr. Callow also denied that he had overdosed on heroin. He had never used heroin before coming to prison and unlike many prisoners did not pick up the habit after his imprisonment. He was found unconscious in his cell in July 2006 but it was not because of a drug overdose. Mr. Callow had been suffering from chronic back pain and was receiving medication from the institutional doctor. The effect of the medication had been to lower his electrolytes and this can in turn cause fainting spells. That is what had happened, he fainted and hit his head. When Mr. Callow recovered consciousness he found himself in a segregation cell and his explanation that he had fainted and had hit his head causing a concussion was rejected by the correctional staff who believed that he had overdosed. To validate that his unconsciousness was caused by concussion and not an overdose, Mr. Callow voluntarily gave a urine sample which came back negative for heroin. Mr. Callow's fainting/concussion explanation for his original unconsciousness was reinforced when, while still in segregation, he fainted again re-injuring his head, and had to be rushed by ambulance to hospital. CAT Scan examinations revealed that Mr. Callow had suffered a fractured skull with contusions to the brain. On his return to prison Mr. Callow obtained copies of his medical reports confirming the diagnosis. Despite the medical corroboration of his explanation the correctional files allegation of heroin abuse have not been corrected.

Mr. Callow made no appearance at his final 2007 detention review and the Parole Board therefore never heard Mr. Callow's response to the allegations made about "deteriorating behavior". In their decision dated **January 11, 2007** the Board wrote:

Reports indicate that there has been no progress in your case over the last year. Specifically, in September 2006 you were placed on a behavioral contract due to deteriorating behavior and suspected involvement in the drug subculture. Originally, you appeared to abide by the terms of the contract, however, on December 27, 2006 hash oil and drug paraphernalia was found in your possession. You admitted to getting high on three separate occasions while on the contract.

Your case management team believes that you have demonstrated a lack of respect for the rules of the institution and there is an increased risk to the community...

The misuse of intoxicants was a factor in your Index offenses. There is no significant new information indicating a reduction in your risk that would justify cancelling or modifying the detention order.

Even though since 2003 Mr. Callow had despaired of being released before warrant expiry he still agreed to participate in the National Employability Skills Program, specifically designed for prisoners facing release into the community. One of the last documents on his correctional file is the final program performance report dated **February 7, 2007** which once again, through the eyes of program facilitators, paints a different portrait of Paul Callow as he faced the final days of his 20 year imprisonment:

Mr. Callow excels in wanting to learn continuously. He has proven this through his drive to complete numerous programs and training sessions. He values learning as a whole as a way to diversify his skills and to gain knowledge from others. This will be of value to Mr. Callow as he pursues employment in the community[One of the facilitators] states that Mr. Callow shows a keen interest in learning new skills and information and takes on more demanding activities as well as suggesting new ways to do things.... Mr. Callow is showing that he is not

only able to get along with others but, also, has the ability to take the initiative and be a lead in coordinating efforts to get the job done. He values respect and personal boundaries when working with others and keeps in mind that people are unique.

The underlined passage should be noted in so far as the program facilitator was a woman and there is clearly no concern of the kind that arose a decade before at Warkworth Institution. The picture painted in this paragraph as in the other program evaluations from Mountain institution between 2000--2002 is far removed from the unredeemed, unrepentant sexual predator that flooded into the headlines as Mr. Callow made his way back into the community.

### **Conclusion**

Let me make it very clear that the purpose of this documentary report has not been to explain away or mitigate the seriousness of the crimes for which Mr. Callow was convicted and sentenced to 20 years imprisonment. Its purpose has been to provide a factual and contextual background to Mr. Callow's criminal and correctional history and his experiences while serving his sentence to demonstrate that he has willingly accepted treatment, benefited from treatment and that he does not represent the same danger to public safety as he did when he started his sentence 20 years ago. This document is also intended as a factual counterpoint to the distorted media portrayal of Mr. Callow that has fanned the flames of public fear and a given a legitimacy to the dangerous voices of vigilantism unprecedented in recent history in this province. Having served the full sentence imposed by law, Mr. Callow desires nothing more than to be given the opportunity to live his life as a responsible citizen, with the support of his family, subject to the conditions imposed by the court under section 810 of the Criminal Code, but free from unjust harassment by either the media or other citizens.

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Michael Jackson has been involved in the teaching and advocacy of human rights for over 30 years, specializing in the areas of prisoners' rights and aboriginal rights. As a professor at the University of British Columbia's Faculty of Law, he introduced the first courses on these subjects in a Canadian law school; as a lawyer he has represented prisoners and First Nations in leading cases before the Supreme Court of Canada; as a representative of the Canadian Bar Association he has presented submissions on reforms to the criminal justice system to committees of both the House of Commons and the Senate; as an author Michael Jackson has published *Prisoners of Isolation: Solitary Confinement in Canada* and *Locking Up Natives in Canada*. In 1993, Michael Jackson was awarded the Bora Laskin National Fellowship in human rights research in order to begin the research for his latest 2002 book *Justice behind the Walls: Human Rights in Canadian Prisons* ( online at [www.justicebehindthewalls.net](http://www.justicebehindthewalls.net)) In 1999 he was appointed Queen's Counsel by the Attorney General of British Columbia.