

Remission

Remission is the “good time” credited to every sentenced inmate based upon program participation (including work, school, and training) and adherence to rules and regulations of the centre. Every sentenced inmate may be credited with up to 15 days of remission for each month served, resulting in a Probable Date of Discharge (PDD) that can be up to 1/3 earlier than Warrant Expiry Date (WED).

Consider the following formula:

- Time served 2 days = remission credited 1 day
- Time served 1 month = remission credited 15 days
- Partial months are calculated on a proportionate basis.

Remission award assessors or panels are established in every correctional centre. They meet monthly and consider the inmate appraisals and/or review inmate progress logs.

Remission is assessed by the remission panel, within 5 days of end of month, taking into account behaviours of inmate in the areas of:

1. Compliance with rules; and
2. Program participation (*CAR* sec. 32).

Note: According to *C.A.R. sec. 34(1)* – *A disciplinary hearing that is ordered to be convened...but is not yet concluded must not be considered in evaluating an inmate’s compliance with the rules governing the conduct of inmates.*

The awards assessor credits remission according to the following levels of performance:

- Average: 15 days
- Fair: 8 to 14 days
- Unsatisfactory: 0 to 7 days

The awards assessor provides each inmate with written notification of remission awards (credit) at the end of every month. If an inmate wishes to request a review of a decision not to award them full remission, they may apply in writing to the Warden within 7 days of receipt of notification of the credit.

An inmate’s discharge date is computed on the assumption that the inmate earns all of the remission. Therefore, when an inmate fails to earn remission, the discharge date must be recalculated. This means that remission can be a motivator for inmates to follow rules and participate in programming.

BASIC CASE MANAGEMENT INMATE PERFORMANCE APPRAISAL AND REMISSION

INMATE PERFORMANCE APPRAISAL AND REMISSION

Course Description

Sentenced inmates are eligible to earn remission, which has an impact on their date of release from custody. You play an important role in assisting inmates to understand the remission process, giving inmates feedback on their performance and documenting their progress, all of which assist in remission decisions.



Your instructor will indicate whether you need to review the module handout prior to class or wait until it is discussed in class. The resources at the end of the module handout will provide valuable information to assist in your learning. You will be able to access particular resources on your own, while others will be given or shown to you by your instructor.



If this module is part of a course for which there is an exam, then paying particular attention to the learning objectives will help you to assess your understanding of the course material.

Learning Objectives

Following this module, you will be able to:

- Describe the format and purpose of the inmate performance appraisal (monthly summary).
- Explain how the inmate performance appraisal can be used to facilitate communication with the inmate regarding their progress.
- Outline the relationship between the inmate's performance during the month and the case manager's remission recommendation.
- Define remission and describe its purpose.
- Describe the responsibility of remission award assessors/panels.
- Summarize the procedure for an inmate to request a review of a remission decision.
- Discuss the effect that failure to earn full remission has on the calculation of an inmate's sentence.
- Differentiate between "lost remission" and remission "failed to earn".

Inmate Performance Appraisal (Monthly Summary)

The monthly summary is a performance appraisal of the inmate, free of subjective opinion and bias, and contains detailed factual observations as noted in the inmate's Client Log. Monthly summaries (performance appraisals) are required under the C.A.R. for remission purposes.

The summary will include information in key areas such as:

- Work
- Leisure
- Program involvement
- Attitude
- Conduct

It includes a remission recommendation that is supported by the case manager's factual comments based on Client Log entries, and whether the inmate is following his or her case management plan. It is good practice to provide dates of key behaviours as reference.

Its purpose is to provide a summary that can be used by the remission panel to assist in assessing how much remission should be awarded for the month.

Communication



Case managers are responsible to work with the inmate to assist them in having a positive monthly summary. The monthly summary provides a means for behaviour management with the inmate as the intent is for the case manager to work with the inmate, not just report on them at the end of every month. Monthly summaries can be used proactively with an inmate as a way to encourage positive behaviours, note areas to work on, etc. At the end of the month the summary should be reviewed with the inmate if at all possible. If it is reviewed earlier a note should be made on the summary indicating the date of review.

Remission Recommendation

Average, not "perfect", performance is required for an inmate to earn full remission. For example, a case manager should not recommend that an inmate fail to earn remission based on one or two minor infractions, especially if they occurred early in the month and improved behaviour was later noted. If an inmate is charged with a C.A.R. violation and found guilty, they cannot also fail to earn remission on the same incident (regardless if they forfeited any earned remission in the disciplinary panel disposition), unless it is part of a pattern of progressive or ongoing poor behaviour. If the incident is an isolated one,

the case manager should simply note in the monthly summary that the inmate was charged, including the date of the charge and the infraction the inmate was charged with.

When inmates are assessed as requiring a core program and refuse to attend as scheduled, you should use motivational strategies to encourage participation. As a last resort, you may recommend that the inmate fails to earn up to five days remission for each month that they refuse to participate (*Management Services Policy Manual S. 12 – Offender Programs*).

In the case of an inmate having only served a partial month in custody, case managers should still rate the inmate's behaviour as average/fair/unsatisfactory, making note of the reason for the rating. As with all cases, the remission panel will then decide how many days remission the inmate should earn.

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Remission Award Assessors/Panels

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Review of Remission Decision

The awards assessor provides each inmate with written notification of remission awards (credit) at the end of every month. If an inmate wishes to request a review of a decision not to award them full remission, they may apply in writing to the Warden within 7 days of receipt of notification of the credit.

Effect on Sentence Calculation

An inmate's discharge date is computed on the assumption that the inmate earns all of the remission. Therefore, when an inmate fails to earn remission, the discharge date must be recalculated.

“Lost Remission” vs. “Fail to Earn”



The other process in which an inmate's discharge date can be affected by remission occurs when the inmate forfeits earned remission due to a penalty being imposed at a disciplinary hearing. This is commonly referred to as “losing remission” and is different from “failing to earn” remission.

Either way, remission can be a motivator for inmates to follow rules and participate in programming.

Note: A limited number of sentences have a special provision that no remission may be earned as part of the time to be satisfied (e.g. under the *Family Maintenance Act*). See *Adult Custody Policy S. 3.9* for further details.



Inmate Performance Appraisal and Remission

- You have been assigned an inmate to your caseload who has never been in custody before. How will you describe the monthly summary and remission process in a way that will be clear to them?
- What steps will you take to provide ongoing feedback to an inmate on your caseload regarding their behaviour and progress during the month?
- How will you respond when an inmate on your caseload tells you “you’re to blame for me losing remission last month”?



- *Adult Custody Policy S. 3 - Admission and Discharge*
 - 3.9 *Earned Remission*
 - 3.12 *Civil Orders*
- *Correction Act Regulation – Division 4 – Performance Appraisal and Earned Remission*
- *Centre's Inmate Information Guide (centre specific)*



Now that you have reviewed the content and/or resources for this module, you should have a greater understanding of this topic. If you have any questions, please ask your instructor(s), another staff member, a supervisor or a manager to clarify. If you like, you can print this document prior to closing it.