

Adult Custody

Policy

Adult Custody Division
Corrections Branch
Ministry of Justice

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Designation of Authority

1. The terms “authorized person” and “person in charge” are defined in the *Correction Act* and the *Correction Act Regulation* respectively.
2. In Adult Custody Policy, these terms refer to different positions within a correctional centre depending on the function being performed.
3. Authority is designated according to the authority matrix for each correctional centre that is established by the provincial director, Adult Custody Division.
4. Each person exercising authority according to this matrix is issued a letter of designation. Refer to the *Designation Matrix* and *Designation Matrix by Position*.
5. The “person in charge”—designated as “warden”—is responsible through the provincial director to the assistant deputy minister, Corrections for the overall management, operation and security of the correctional centre.

1. Security and Control

1.1. Institutional Security (revised: Jul-12)

1.1.1. Central control

1. Correctional centres have a designated central control.
2. The control centre is responsible for:
 - Key control;
 - Co-ordination of the centre's internal and perimeter security network; and
 - Communication for the correctional centre and satellites, monitoring and operation of public address, radio, surveillance alarms, perimeter lighting, personal alarm transmitter responses, telephone and other mechanical and electrical systems.
3. Central control is staffed 24 hours per day in secure and medium centres.
4. In open custody centres, staffing in central control is as required.
5. Access to control is restricted to control officers and essential staff designated by operational necessity.

1.1.2. Physical security inspection routines

1. Bars, windows, locks, walls, floors, ceilings, ventilation covers, glazing, access plates, protective screens, doors, emergency alarm systems, and other security features are subject to a daily visual check for operational wear and inmate tampering.
2. Correctional centres establish procedures for physical inspection of the above items.
3. Results are recorded and exception reports submitted to the shift supervisor.
4. Defective security features and equipment are repaired or replaced immediately.
5. Security perimeter entrances, control centre doors, tier doors, doors opening into a corridor, and gates are locked when not in use.

1.1.3. Communications equipment

1. , the officer in charge ensures that security communication systems are tested.

2. Malfunctions are noted and immediate steps taken to repair the equipment or provide alternate communication.

1.1.4. Inspection of fire equipment

1. Accommodation and Real Estate Services (ARES) is responsible for maintaining fire code requirements.
2. The warden ensures that the following fire protection systems and equipment are inspected, tested and maintained, according to the *B.C. Fire Code Regulation*:
 - Emergency lighting;
 - Fire detection, alarm and firefighting equipment;
 - Emergency power;
 - Exits;
 - Water supply; and
 - Structural fire resistance.

1.1.5. Searches of physical plant

1. The warden determines regular searches of common and program areas to which inmates have access.
2. Searches of inmate rooms, cells, or property are conducted only when authorized by the warden or when there are reasonable grounds to believe the inmate possesses contraband.
3. Cells or rooms are searched prior to occupancy by a new inmate.
4. Searches for contraband are conducted with a minimum of disturbance to inmate possessions and living area.
5. Searches of inmate living areas are recorded and signed in the living unit log.

1.1.6. Back-up

Correctional centres have a security plan for the back-up coverage of staff members working in close proximity to inmates.

1.1.7. Visual check

1. Correctional staff conduct a visual check of all inmate areas to identify activities or conditions that may compromise the safety of inmates and staff or the security of the centre.

2. A visual check is conducted as follows:
 - In secure settings – at intervals not to exceed ;
 - In medium and open custody – at intervals not to exceed and
 - In segregation units – at intervals not to exceed
3. Visual checks are conducted at irregular intervals to avoid a predictable pattern.
4. Visual checks are recorded in writing in the log book.

1.1.8. Counts

Types of counts:

- Formal count;
- Living unit and program area count; and
- Identification count.

1.1.9. Formal counts

1. A formal inmate count is completed at a minimum of scheduled intervals within each
2. Correctional officers conducting counts physically observe each inmate in their area of responsibility.
3. Inmate movement ceases and does not resume until the count is cleared through central control. Results are recorded in writing and include:
 - Date and time of count;
 - Facility area where the count was conducted;
 - Number of inmates assigned to the facility area; and
 - Name and signature of staff member conducting the count.

1.1.10. Living unit and program area counts

1. Counts are maintained in the living unit or program area log book.
2. Unit and program area correctional staff maintain an awareness of the number of inmates assigned to their supervision by conducting counts on an ongoing, unscheduled basis.

3. Counts are reconciled with the living unit or program area log book at intervals not exceeding in secure centres and in medium centres.

1.1.11. Identification counts

Counts confirming the identity of inmates are conducted:

- At final evening lockdown;
- To reconcile a discrepancy in a formal count;
- Following an escape or disturbances; and
- At times determined by the warden or designate.

1.1.12. Custody and control

1. Staff members are responsible for the safety and control of inmates.
2. The custody and control of inmates is not delegated to other inmates.
3. Staff members are responsible to ensure that security is paramount in the conduct of their duties.

1.1.13. Surveillance

1. Electronic surveillance may be used:
 - In hallways, day rooms, lounges, shops, classrooms and other common areas;
 - In segregation, observation and designated special use cells;
 - On security perimeter; and
 - Other locations authorized by the assistant deputy minister or designate.
2. When electronic surveillance is used to observe inmates, monitors are located to permit access by authorized staff members.
3. When female inmates are subject to electronic surveillance in segregation, observation or designated special use cells, procedures are established for monitoring by same gender staff. The exception is emergency situations or when there is imminent danger to human life or safety.

1.2. Use of Force (revised: Apr-06)

1.2.1. Policy objective

1. This policy ensures that the Corrections Branch maintains a safe environment in institutions and protects the public, staff and inmates by controlling aggressive and/ or non-compliant inmate behaviour through the graduated use of force.
2. The policy sets out the scope of lawful uses of force by correctional officers in carrying out their duties.

1.2.2. Statutory/ regulatory authority

1. Correctional officers derive the authority to use force through their status as “peace officers,” according to section 2 of the *Criminal Code* and section 2(3) of the *Correction Act*.
2. Correctional officers are peace officers while carrying out their duties under the *Correction Act*.
3. Statutory provisions for use of force relevant to correctional officers are found in sections 25, 26, 27, 30, 32, 33, 34, 35 and 37 of the *Criminal Code*, section 12 of the *Correction Act*, and section 9 of the *Correction Act Regulation*.

1.2.3. Lawful uses of force by a correctional officer

1. Correctional officers may use a reasonable degree of force to:
 - Prevent injury or death to a person;
 - Prevent property damage;
 - Prevent an inmate from escaping; or
 - Maintain custody and control of an inmate.
2. Correctional officers are justified in using force and have protection from civil and criminal liability, according to section 25(1)(b) of the *Criminal Code*, when the officer:
 - Acts in good faith and on reasonable grounds;
 - Carries out a duty required or authorized by law (i.e. a duty according to the *Correction Act*); and
 - Uses only as much force as necessary to achieve the lawful purpose.

1.2.4. Excessive force—criminal liability

1. Correctional officers are criminally liable for force used in excess of that allowed by section 25(1), according to section 26 of the *Criminal Code*.
2. The officer and the Corrections Branch may be civilly liable in such circumstances.

1.2.5. Prohibited force

1. Under no circumstances may a staff member apply force as punishment.
2. No person may consent to take part in an action that is inhumane or degrading.

1.2.6. Individual judgment and perception

1. Correctional officers have a duty to employ good judgment in assessing situations to determine if use of force is necessary and justifiable, and which level of force is appropriate.
2. Correctional officers must be able to demonstrate that their judgment and perceptions of risk that lead to the use of force—and the force they apply—are reasonable under the circumstances.

1.2.7. Proportionality

1. A lawful duty does not justify the use of force.
2. Force used by correctional officers to carry out a lawful duty is proportional to the risk presented.
3. The degree of force used is adequate to effect control, and its application is discontinued at the earliest reasonable opportunity.
4. Force likely to cause grievous bodily harm or death may be used only in cases when it is reasonable to believe there is a threat of serious bodily harm or death.

1.2.8. Control and force options

1. The correct intervention permits application of necessary force, relative to the situation, to establish and maintain control over the subject.
2. Staff use techniques, weapons, apparatuses or devices that are approved by the Corrections Branch and for which they have received training or been certified.
3. Options are:
 - Officer presence;
 - Oral (tactical) commands;
 - Gestures; and

- Control tactics.

1.2.9. Officer presence

Officer presence results when an inmate perceives that correctional officers have authority and ability to use control.

1.2.10. Oral (tactical) commands

1. Oral commands are verbal techniques intended to give direction and effect voluntary compliance.
2. Oral commands include suggestions, advice and loud directions.

1.2.11. Gestures

Gestures are non-verbal techniques that include: facial expression, eye contact, body language and hand contact to shoulder, arm and upper body to reinforce oral directions.

1.2.12. Control tactics

Control tactics include:

1. Physical control:
2. Chemical agents/ irritants include use of an approved chemical:
- 3.
4. Weaponless techniques:

5. Impact/ stun devices:

6. Dogs:

1.2.13. Reporting requirements

1. Use of control tactics identified in section 1.2.12, other than the use of restraints employed in external or internal escorts, are reported in the Corrections Branch Use of Force Report.
2. The warden maintains a record of use of force incidents when control tactics are employed.
3. When an inmate is injured and requires medical treatment resulting from of a use of force, the injury is photographed.
4. Reports and audio visual recordings resulting from incidents of a serious nature, incidents involving excessive use of force, and incidents involving the use of chemical agents/ irritants, approved restraint apparatus (other than described in #1 above) or designated impact/ stun devices, are forwarded to the provincial director, Adult Custody Division.

1.3. *Restraint and Control Devices and Apparatus* (revised: Mar-12)

1.3.1. Approved devices

1. Corrections Branch staff only use devices that are approved by the provincial director, Adult Custody Division, and listed in the appendix to section 1.5 of this manual.
2. Restraint and control devices that are not part of Corrections Branch issue may not be carried or used by staff while on duty.

1.3.2. Restraint devices—authority

Authority for the use of restraint comes from section 12 of the *Correction Act* and section 9 of the *Correction Act Regulation*.

1.3.3. Training requirements

Only staff who have successfully completed the approved training/ certification course(s) are authorized to possess, transport or deploy the following:

- Impact/ stun devices;
-
- Irritant spray devices ;
- Distraction devices; and
-

1.3.4. Use of restraint devices

1. Restraint devices are used to:
 - Provide short-term control of inmates;
 - Conduct internal or external escorts;
 - Prevent an inmate from self-injury or harming others;
 - Prevent destruction of property;
 - Prevent escape;

- Prevent physical aggression; and
 - Compel compliance.
2. Devices include _____ and other restraint devices approved by the provincial director, Adult Custody Division.
 3. Inmates are not to be _____ while secured in restraint devices.
 4. Devices may be issued routinely on a shift-by-shift basis to:
 - Officers-in-charge and deputy shift supervisors;
 - Officers assigned to escort duties;
 - Cell extraction and tactical teams; and
 - Other posts designated by the warden.

1.3.5. Restraint apparatus—special

Only special restraint apparatus approved by the provincial director, Adult Custody Division, may be used. Refer to the appendix to section 1.5 of this manual for a list of approved apparatus.

1.3.6. Authority

1. Authority to use special restraint apparatus is with the warden or designate.
2. Such designation is established by letters of designation and in local policy, and applies to the shift supervisor or a higher level.
3. Approved special restraint apparatus are used when the inmate:
 - Is highly agitated;
 - Is engaged in violent, destructive behaviour;
 - Is, or might be, involved in self-harm that could result in injury or death;
 - The supervisor determines, on a balance of probabilities, that less restrictive restraints have been exhausted or are inappropriate; and
 - Possible risk to the inmate from using the restraint apparatus is less than the risk of not using the restraint.

1.3.7. Medical review—special restraint apparatus

1. When practical, a health care professional conducts a review of the inmate's medical status to identify medical concerns related to the restraint, prior to placement in a special restraint apparatus.
2. When a health care professional is not available prior to placement, the medical review occurs as soon as practical after placement.
3. A medical review begins within two hours of the inmate being placed on or in a special restraint apparatus, when a health care professional is available on site. When 24-hour health care is not available and a health care professional is not on duty, a review is conducted as soon as possible after a health care professional starts their duties.

1.3.8. Observation, recording and removal

1. An officer is assigned to observe the inmate during confinement in the special restraint apparatus. When not under direct observation, the inmate is checked in intervals that do not exceed
2. When electronic surveillance is available and continuously monitored, the inmate is physically checked every
3. The observing officer records the state of the inmate in a running time log and records all interaction with the inmate.
4. The observing officer immediately notifies the shift supervisor if there is a change in the inmate's health status.
5. At least until the inmate is removed from the apparatus, the shift supervisor observes the inmate and assesses the need to continue using the special restraint apparatus.
6. The shift supervisor authorizes the inmate to be removed from the special restraint apparatus as soon as it is safe. If complete removal is not possible, partial restraint is considered.
7. When on duty, a health care professional assesses the inmate following the initial assessment.
8. A record is kept that indicates the time and duration of each check made by the shift supervisor and by the health care professional, observations, condition of the inmate, and recommendations regarding the placement status.
9. Unless the inmate is on an off-grounds escort, restraints are not used for more than four continuous hours without the permission of the warden or designate.

1.3.9. Extended use of special restraint apparatus

1. The warden or on-call deputy approves the use of special restraint apparatus for more than four continuous hours.

2. Approval is only granted if, in the opinion of the warden or on-call deputy, extended use is necessary to ensure the safety of the inmate.
3. Prior to authorizing extended use of the special restraint apparatus, the warden or on-call deputy consults with a health care professional regarding the inmate's health.
4. If there are reasonable grounds to suggest that special restraint equipment is required in excess of 16 continuous hours, the warden obtains approval of the provincial director, Adult Custody Division, and reviews the condition of the inmate with the provincial director every 12 hours thereafter.
5. The provincial director may revoke his or her approval at any time.

1.3.10. Video recording

1. A video recording is made of an inmate's placement in an approved special restraint apparatus.
2. The time and date function on the video recorder must be operating.

1.3.11.

1.3.12. Report

The supervisor submits a written report, including the Corrections Branch Use of Force Report, along with any video recording, about the use of a special restraint apparatus to the warden/deputy warden of operations. A copy is forwarded to the provincial director, Adult Custody Division.

1.3.13. Impact devices

1. Only impact devices approved by the provincial director, Adult Custody Division, may be used. Refer to appendix to section 1.5 for a list of approved devices. Shift supervisors and deputy shift supervisors may carry and issue approved impact devices for the following purposes:
 2. Approved impact devices are carried in a Corrections Branch issued until they are deployed in a situation requiring force.
 3. The warden ensures when an impact device is used on an inmate that:
 - Medical personnel examine the inmate, once full compliance/ control through restraint has been established; and
 - An incident report and inmate injury report are submitted to the warden prior to shift-end.
 4. An impact device is not used
 5. The presentation of an impact device as part of defining “officer presence” is not considered deployment as long as it is not used on an inmate.
 6. Correctional officers are responsible for the safety and security of impact devices issued to them.

1.3.14. Spray irritants

1. Spray irritants—

2. Spray irritants are not used for

1.3.15. Issuing of spray irritant canister devices in secure centres

1. Devices may be issued as follows to:

2. They may be available in:

3. The provincial director, Adult Custody Division, approves in writing routine issue of these devices outside of these terms.

1.3.16. Issuing of spray irritant canister devices in medium centres

1. Devices may be issued to:

2. They may be available in:

3. The provincial director, Adult Custody Division, approves in writing routine issue of these devices outside of these terms.

1.3.17. Issuing of spray irritant canister devices in open centres

2. The provincial director, Adult Custody Division, approves in writing routine issue of these devices outside of these terms.

1.3.18. Control of spray irritant containers

1. Instructions provided by the supplier of the spray irritant are followed.
2. Staff authorized to use a spray irritant device or chemical agent device must complete the approved training course.
3. Correctional officers are responsible for the safety and security of the issued to them.
4. Issued devices are tracked.
5. Canisters are kept in a secure locked receptacle or room when not issued.
6. Canisters requiring replacement are surrendered to the shift supervisor or deputy warden of operations prior to issue of a new can.
7. Procedures are established in each centre to empty, disable and dispose of spent spray irritant canisters.

1.3.19. Notice of deployment/ decontamination—spray irritants

1. When time and circumstances permit, inmates are advised that failure to cease their activities will result in the use of irritant/ chemical agents.
2. Following deployment of spray irritants, inmates' eyes are flushed. Inmates are also allowed to bathe their eyes and/ or shower and are provided with clean clothing. A health care professional examines them as soon as possible after the spray irritant has been used.

1.3.20. Conditions of deployment

1.3.21. Notice of deployment/ decontamination

1.3.22. Report

An incident report detailing the circumstances that resulted in the use of spray irritant/ chemical agent and the Corrections Branch Use of Force Report is submitted to the warden/ deputy warden of operations who forwards a copy to the provincial director, Adult Custody Division.

1.3.23.

1.4. Stun Devices—

1.4.1. Definition

2. The following definitions relate to the use of

1.4.2. Authority

1. technology is approved by the Corrections Branch as a less lethal force and control option. Refer to section 1.2, Use of Force.
2. The provincial director approves the type of
3. The warden authorizes the use of
4. is only issued and used at the direction of the warden or designate.
5. The warden designates a staff member to maintain a sign-out form to record each occasion when are authorized for use

6. The warden identifies correctional officers who are approved to deploy
7. Only correctional officers with current training and certification may deploy .

1.4.3. Inventory

1. The provincial director authorizes the number of at each correctional centre.
2. Requests by centres to increase are forwarded in writing to the provincial director for approval.
3. A record of authorized is maintained at Corrections Branch headquarters. Correctional centres provide headquarters with updated information .

1.4.4. Application

1.4.5. Intervention requirements

1.

7. A video recording is made of:

- Briefing of staff following authorization for use



- Debriefing of involved staff.
8. The time and date function is activated on the video recorder.

1.4.6.

1.4.7. Health care

1. As soon as practical after _____ is discharged against an inmate, health care personnel attend and stabilize the inmate.
2. In the absence of health care personnel, paramedic assistance is requested

3. In every situation of discharge of _____ against an inmate, the inmate is transported as soon as practical to the local emergency department for assessment.

1.4.8. Reporting

1. Reports, including the Corrections Branch Use of Force Report and video recordings detailing the circumstances when _____ is authorized for use, are submitted for review to the warden or designate.
2. The Use of Force Report details the type of medical assistance provided when _____ is discharged against an inmate, and includes specific reference _____.
3. A Use of Force Report is completed when _____.
4. Video recordings (when available) and copies of the following reports are forwarded to the provincial director, Adult Custody Division:
 - Incident reports;
 - Inmate injury reports; and
 - Use of force reports.
5. Reports of _____ use are reviewed by the designated headquarters analyst, the provincial director, and the assistant deputy minister, Corrections Branch. Any variance from policy is reviewed with the warden or designate.

1.4.9. Records maintenance

1. The warden or designate assigns a staff member responsible for _____ incident control and monitoring to maintain a record _____.
2. _____.

5. The designated headquarters analyst conducts quarterly reviews of compliance with policy. At minimum, the review should document:
 - Circumstances and manner in which use to ensure are being used;
 - Reporting use by centres; and
 - Discrepancies between discharge data and corresponding reports related to use of force and incidents.
6. The designated headquarters analyst conducts annual reviews and reports outcomes to the provincial director related to control and monitoring. At minimum, the following is provided:
 - Total count of deployments
 - A summary of the quarterly reviews conducted according to subsection 1.4.9(5).
7. The provincial director submits the annual report to the Minister of Justice and Attorney General.

1.4.10. Maintenance and storage

1.5. *Physical Restraint and Tactical Equipment (revised: Apr-12)*

1.5.1. Allowable items

1. A list of approved physical restraint, impact and stun devices, tactical equipment and chemical munitions, agents and irritants are maintained by the Adult Custody Division headquarters. Only items appearing on the list are authorized for use.
2. The list specifies the type, style, manufacturer and, when applicable, the model.
3. Allowable items are included in the appendix to this section.

1.5.2. Inventory and register

1. Wardens—under whose authority physical restraint, impact and stun devices, tactical equipment and chemical munitions, agents and irritants are maintained for duty or training purposes—retain a record of inventory on file.
2. The record of inventory provides the following information:
 - Date when physical restraint, impact and stun devices, tactical equipment and chemical munitions, agents and irritants were obtained, and the source of supply;
 - Description of physical restraint, impact and stun devices, tactical equipment and chemical munitions, agents and irritants (including serial numbers, make and model);
 -
 - Record of chemical munitions, agents and irritants purchased or received during any fiscal year;
 - Record of chemical munitions, agents and irritants expended during any fiscal year; and
 - Expiry date of chemical munitions, agents and irritants.
3. A register indicating recipients of this equipment is kept, identifying:
 - Time and date of issue and return;
 - Type and number of items issued and returned;
 - Purpose; and
 - Recipient's name.

1.5.3. Storage

1. Wardens establish and enforce orders for the storage and security of physical restraint, impact and stun devices, tactical equipment, and chemical munitions, agents and irritants.
2. The warden may designate operational responsibilities for storage and security.
3. When responsibility is designated, the officer responsible reports the inventory and security state of the storage area to the warden immediately and every four months.
4. The storage of chemical munitions, agents and irritants conforms to the *Explosives Act* and Regulations.
5. The storage of restricted weapons conforms to applicable federal and provincial legislation.

1.5.4. Loss or theft

The loss or theft of physical restraints, impact and stun devices, tactical equipment or chemical munitions, agents and irritants are reported immediately to the warden, who immediately notifies the provincial director, Adult Custody Division.

1.5.5. Disposal of restraint devices or weapons, tactical equipment, and munitions

1. When physical restraint, tactical equipment and chemical munitions, agents and irritants are determined unusable, or potentially unsafe, the items are taken out of circulation.
2. No chemical munitions, agents and irritants are stored beyond the agent's expiry date. They are disposed of as soon as possible after the expiry date according to the manufacturer's specifications.

1.5.6.

[REDACTED]

[REDACTED]

Appendix: Scale of Issue Approved Equipment; Chemical Agents, Irritants and Munitions

Restraint equipment

Tactical equipment

5. Gas masks

- Standard chemical

Chemical munitions

Other tactical munitions

1. Stun device



1.6.

(revised: Oct-10)



1.7. Escorts (revised: Jul-11)

1.7.1. Objective

1. This policy applies when inmates are escorted from correctional centre grounds to community settings by designated staff.
2. Off-site escorts maintain security and control of inmates, and ensure the safety of the public, staff and inmates.

1.7.2. Escort risk assessment

1. An escort risk assessment is conducted on each occasion for an off-site escort.
2. Off-site escorts of an emergent nature (i.e. when there is insufficient time to conduct an escort risk assessment prior to the escort leaving the correctional centre) are classified as level I escorts. Off-site escorts of an emergent nature from a medium custody centre are classified as level II escorts. At the earliest possible opportunity, an escort risk assessment is conducted and the appropriate escort risk level is applied.
3. Security precautions for an off-site escort are based on assessment of the risk that an inmate presents to the community, the public, escort staff and other personnel connected with the inmate's escort.
4. Inmates are classified as level I, II or III risk. Security classifications are assigned by the warden or designate, after reviewing institutional information and law enforcement intelligence.
5. At a minimum, information used to determine an escort classification includes:
 - Criminal history;
 - Current offence(s);
 - Institutional conduct—past and present;
 - Medical/ psychological issues;
 - Custody status—sentenced/ remand;
 - Immigration and other holds;
 - Relevant intelligence information;
 - Risk to the inmate when being in the community; and

- Destination of escort (i.e. accessibility, parking)
6. Factors outlined in subsections 1.7.3, 1.7.4 and 1.7.5 are considered in determining each risk level designation.
 7. The escort assessment is entered as a reassessment on the inmate assessment (IA) on ICON.

1.7.3. Assessed escort risk—level III

The following factors are considered in determining a level III designation:

1.7.4. Assessed escort risk—level II

The following factors are considered in determining a level II designation:

1.7.5. Assessed escort risk—level I

The following factors are considered in determining a level I designation:

1.7.6. Follow-up to escort risk assessment

Escort staff:

- Are advised of the escort classification of the inmate and any unique issues related to the off-site escort by reviewing the escort risk assessment form;
- Sign the escort risk assessment form to acknowledge the information and the escort classification;
- Are provided with a copy of the escort risk assessment form, which they retain throughout the escort; and
- Enter pertinent escort information in the inmate's CORNET Client Log upon return to the centre.

1.7.7. Escort staff

1. Escort staff are determined by the warden or designate, according to the assigned inmate escort risk level.
2. escorts are conducted by staff who are assigned by the warden or designate.
3. escorts are conducted by a correctional officer. Additional staff may be assigned by the warden or designate.
4. escorts are conducted by a minimum of correctional officers. The warden or designate may assign additional staff to these escorts.

1.7.8. Equipment use

1. Staff only use equipment for which they have received training or are currently certified.
2. Each centre provides escort equipment bags with contents that are listed in section 1.7.9.

1.7.9. Escort equipment—approved Corrections Branch scale of issue

1. Restraints:

2. Cellular telephone (extra battery and battery charger—when hospitalization of inmate is expected).
3. Radio.

7. Emergency contact telephone numbers.
8. Locally developed hospital escort policy (when hospitalization is anticipated).
9. Other Corrections Branch approved safety and security equipment approved by the warden or designate.

1.7.10. Restraint procedures—

1. Restraints may be used during an escort.
2. The warden or designate approves exceptions.

1.7.11. Restraint procedures—

1. _____ are used during escorts. _____ may be used when authorized by the warden or designate.
2. The warden or designate approves exceptions.

1.7.12. Restraint procedures—

1. _____ are used during escorts.
2. Exceptions are only permitted for medical or physical reasons identified by the health care unit. The warden or designate approves exceptions.

1.7.13. Removal of restraints

Restraints are not removed during escorts, except when required for medical treatment or hospitalization, and then only according to procedures outlined in section 1.7.28.

1.7.14. Inmate work crews

1. The warden establishes local policy regarding the selection and supervision of inmate work crews engaged in activities outside correctional centre boundaries.
2. Restraints are not required for inmate work crews who are escorted to assigned off-site work locations.
3. Prior to an inmate leaving the centre for any off-site work, the identity is confirmed by referencing photos on their ICCS phone card or CORNET Client Identification Card. Both cards must reflect recent photos of the inmate.

1.7.15. Search of inmates

Inmates and their effects are searched prior to departure from the correctional centre and again upon their return.

1.7.16. Use of chemical agents

1. Use of chemical irritants in _____ are according to protocols established with _____ security procedures.
2. Chemical irritants are not taken

1.7.17. Escort vehicles

1. Only secure Corrections Branch vehicles are used for _____ escorts.
2. Corrections Branch vehicles are not emergency vehicles and their use complies with *Motor Vehicle Act Regulations*.
3. The warden or designate determines the Corrections Branch vehicle for use in escorting
4. Centres establish procedures for the search of escort vehicles before and after each escort.

1.7.18. Emergency health services (EHS) vehicles—ambulance

1. When EHS ambulance services are required for emergency transport:
 - _____ escorts the inmate in the ambulance;
 - _____ may follow in a designated vehicle; and
 - Communication is maintained between escorting officers during transport.
2. Centres consult with EHS in their respective districts to develop protocols for the escort of inmates for emergency medical treatment.

1.7.19. Air transport

When air transport is required for the escort of inmates, centres consult with airport security to develop procedures for the escort of inmates, according to the assessed escort risk level.

1.7.20. Police assistance

Centres consult with local police departments to develop protocols when the assistance of police is requested on escorts.

1.7.21. Documentation—hospital/ medical escorts

1. The warden or designate ensures that a temporary inmate file containing a copy of the following documents accompanies escort staff:
 - CORNET client ID card;
 - Health Information form (HEIN) and any other pertinent medical information that is not confidential;
 - Inmate progress log sheet;
 - Current holding documents (warrants/ detainers); and
 - Inmate escort risk assessment.
2. In a medical emergency, documentation is forwarded as soon as possible.
3. The warden or designate ensures that procedures are established for the timely disposal of documents prepared for the temporary escort file when the inmate returns to the centre. These files are not to be transferred to the inmate's institutional files.

1.7.22. Medical information

1. Medical documentation is confidential.
2. Medical documentation that accompanies an inmate on off-site escort to hospital/ medical facilities is prepared by health care personnel and forwarded to escort staff in a sealed envelope, as soon as possible.
3. Medical information and documents returning with the escort staff are delivered to the centre's health care unit.
4. Escort staff receiving oral instructions from community-based medical/ health care personnel regarding an inmate's medical treatment or care obtain the name and contact number of the medical/ health care person who made the statement. This information is provided to Corrections Branch health care personnel upon return to the correctional centre.

1.7.23. Confidentiality

Escort staff do not discuss an inmate's circumstances with anyone except individuals, such as hospital security staff and police, who have a valid need to know.

1.7.24. Hospital security

1. Centres develop protocols with hospital security personnel within their respective jurisdictions regarding escort and security arrangements required during an inmate's hospitalization.
2. This includes:
 - Means to directly contact hospital security staff;
 - Access to a separate holding area away from public access (when available);
 - Access to alternate exit routes;
 - Identification of security issues; and
 - Vehicle parking.

1.7.25. Supervision—general

1. Security is the primary element of off-site escorts and the first priority of escort staff.
2. Security includes protection of the public, prevention of escapes, interdiction of contraband, and control and supervision of the inmate. At a minimum, the supervision procedures in sections 1.7.27, 1.7.28 and 1.7.29 apply.
3. Circumstances concerning the safety or security of an escort, specific to a centre, are addressed through the warden or designate.

1.7.26. Supervision of pregnant inmates

1. Pregnant inmates have their level of supervision and restraint equipment needs determined by the warden or designate as in section 1.7.2 and in consultation with health care personnel.
2. If restraint equipment is used on a pregnant inmate, extreme caution must be exercised to ensure that both the woman and fetus are protected from injury (e.g. pressure is not applied to the inmate's stomach or torso; inmate is supported by staff when walking; _____ are applied in front).
3. _____ are not used during the second or third trimesters or during medical procedures involving pelvic examination.
4. _____ are not used for the control of an inmate who is known to be pregnant.

5. Pregnant inmates are not restrained during labour and delivery.
6. Restraints are removed for medical treatment on the request of treatment providers at the receiving facility according to procedures outlined in section 1.7.28.
7. Male escort staff are not present during medical procedures.

1.7.27. Supervision of level III escorts

1.7.28. Supervision of level II escorts

1.7.29. Supervision of level I escorts

1.7.30. Site security review—hospitalized inmates

1. When an inmate is hospitalized, the warden or designate assigns a supervisor to perform on-site reviews of hospital security arrangements at the following intervals:
 - rating—period not to exceed three days; and
 - period not to exceed seven days.
2. The warden or designate may specify additional on-site supervisor reviews.

1.7.31. Inmate files—hospitalized inmates

1. Escort staff maintain a record (progress log) of the inmate's conduct and activities during the inmate's hospitalization in community facilities, according to Corrections Branch policy.
2. Escort staff maintain a daily record of the inmate's movements, security concerns, assigned escort staff, visitors and other information concerning the security and safety of the escort.
3. The warden ensures that procedures are established for transferring progress log entries into the inmate's file and securing disposal of temporary/ transitory file materials upon the inmate's return to the correctional centre.

1.7.32. Escapes

1. Escort staff report inmate escapes, according to Corrections Branch policy.
2. The warden develops procedures for escort staff in the event of an escape.

1.7.33. Telephone use—hospitalized inmates

During hospitalization, inmates are permitted to receive incoming telephone calls and place outgoing telephone calls only on the authority of the warden or designate.

1.7.34. Visits—hospitalized inmates

1. Hospitalized inmates only receive visits authorized by the warden or designate.
2. The warden establishes rules governing visits to hospitalized inmates.

1.7.35. Rules and regulations—hospitalized inmates

Hospitalized inmates are subject to the provisions of:

- The *Correction Act Regulation*;
- Policies and procedures of the correctional centre from which they are absent; and
- Hospital/ health care facility rules.

1.8. Inmate Transportation

1.8.1. Objective

1. This policy applies when inmates are transported between correctional centres, or between correctional centres and sheriff or police lockups by designated staff.
2. Inmate transportation maintains security and control of inmates, and ensures the safety of the public, staff and inmates.

1.8.2. Transportation document

1. A transportation document is completed prior to each occasion when an inmate, or group of inmates, is transported between correctional centres or between correctional centres and sheriff or police lockups.
2. Correctional centres develop a transportation document that reflects at minimum the following information:
 - Number of inmates being transported;
 - Length of transport;
 - Means of transport (i.e. type of vehicle, seating plan);
 - Transportation path (i.e. road, ferry, air);
 - Security rating of the inmate(s) involved;
 - Classification rating of the inmate(s) involved; and
 - Relevant intelligence information.
3. The warden or designate determines transportation staffing needs after reviewing the transportation document.

1.8.3. Follow-up to transportation assessment

1. Transporting staff review the transportation document and are aware of any unique issues related to the transportation prior to departure.
2. Transporting staff retain a copy of the transportation document during the transport.
3. The transportation document is returned to the correctional centre for filing.

1.8.4. Equipment use

1. Staff use equipment only for which they have received training or are currently certified.
2. Each centre provides transport equipment bags with contents as detailed in 1.8.5.

1.8.5. Transport equipment—approved Corrections Branch scale of issue

1. Restraints:
 2. Cellular telephone (extra battery and battery charger).
 3. Radio.
 - 4.
 5. Chemical irritant (oleoresin capsicum spray).
 - 6.
 7. Emergency contact telephone numbers.
 8. Other Corrections Branch approved safety and security equipment approved by the warden or designate.

1.8.6. Restraint procedures—movement to a medium custody facility

1. Restraints may be used during the transportation of open custody inmates.
2. are used during the transportation of medium custody inmates.
3. The warden or designate approves exceptions.

1.8.7. Restraint procedures—movement to a secure custody facility

1. are used during transportation.
2. Exceptions are permitted only for medical or physical reasons identified by the health care unit. The warden or designate approves exceptions.

1.8.8. Removal of restraints

Restraints are not removed during transportation, except when required for medical treatment or hospitalization, and then only according to procedures outlined in section 1.7.28.

1.8.9. Use of chemical agents

Chemical irritants are not taken

1.8.10. Transportation vehicles

1. Only secure Corrections Branch vehicles are used for ground transportation, unless otherwise approved by the warden or designate.
2. Corrections Branch vehicles are not emergency vehicles and their use complies with *Motor Vehicle Act Regulations*.
3. Centres establish procedures for the search of transport vehicles before and after each transport.

1.8.11. Ferry or air transport

When ferry or air transport is required for the transportation of inmates, centres consult with ferry or airport security to develop procedures for the transportation of inmates based on the transportation assessment.

1.8.12. Police assistance

Centres consult with local police departments to develop protocols when the assistance of police is requested by the warden or designate.

1.8.13. Documentation

1. The warden or designate ensures that the transportation assessment accompanies transportation staff. The assessment contains the names and correctional services number of all inmates being transported and information related to the destination.
2. The warden or designate ensures that the CORNET client ID card for all inmates being transported accompanies transportation staff.
3. When inmate files are available, transporting staff carry and pass on files to the destination centre/ facility.

1.8.14. Supervision

1. Security is the primary consideration during transportation and the first priority of transporting staff.

2. Security includes protection of the public, prevention of escapes, interdiction of contraband, and control and supervision of the inmate.
3. Inmates remain in the transportation vehicle until it is inside the secure perimeter of the receiving centre.
4. Transportation staff maintain constant supervision and security of the inmates during the loading and unloading process.
5. Circumstances concerning the safety or security of transportation—specific to a centre—are addressed through the warden or designate.

1.8.15. Escapes

1. Transportation staff report inmate escapes according to Corrections Branch policy.
2. The warden develops procedures for transportation staff in the event of an escape.

1.9. Emergency Vehicles

1.9.1. Definition

1. An emergency vehicle is defined in section 1 of the *Motor Vehicle Act* as:
 - A motor vehicle carrying rescue or first aid equipment where there is an urgent emergency justifying a rate of speed in excess of any maximum in rate of speed provided for in this act;
 - A motor vehicle driven by a member of a fire department in the discharge of his duties;
 - A motor vehicle driven by a peace officer, constable or member of the police branch of Her Majesty's Armed Forces in the discharge of his duty.
2. The definition of a peace officer in the *Motor Vehicle Act* does not include correctional officer.
3. Corrections Branch vehicles are not designated as emergency vehicles and may not be equipped or operated with a flashing red light and audible signal bell, siren or exhaust whistle.
4. The only exception is vehicles solely designated as ambulances to meet WCB occupational first aid requirements.

1.9.2. Authorized operators

Only correctional centre staff with a valid B.C. class 4 driver's licence are allowed to operate an emergency vehicle ambulance during their duties.

1.9.3. Operation of an emergency vehicle

1. When acting in a medical emergency, the operator of an emergency vehicle has certain privileges, provided that the driver is sounding an audible siren and showing a flashing red light. According to section 122 of the *Motor Vehicle Act*, these privileges include:
 - Exceed the speed limit;
 - Proceed past a red traffic control signal or stop sign without stopping;
 - Disregard rules and traffic control devices governing direction of movement or turning in specified directions; and
 - Stop or stand.

2. Section 122 of the *Motor Vehicle Act* provides that in exercising privileges set out above, the operator must drive safely, with regard for all circumstances including:
- Condition and use of the highway;
 - Amount of traffic present or expected on the highway; and
 - Intended use of the emergency vehicle.

1.9.4. Use of emergency warning devices

Operators of emergency vehicles only use warning devices when there is an immediate threat to life, safety, or well-being of another person.

1.10. Radio Procedure

1.10.1. Definition

Radios include portable, mobile and base communication equipment.

1.10.2. Licensing

Corrections Branch radio stations are licensed only for Corrections Branch business.

1.10.3. Industry Canada rules

1. Industry Canada and the Corrections Branch have rules governing what may be transmitted by radio.
2. Industry Canada has four main rules that must be observed. Operators do not:
 - Deliberately interfere with another station;
 - Transmit superfluous signals. Unless the transmission concerns official business, it is superfluous;
 - Use profane language over the air; and
 - Divulge or use information overheard on the radio, other than from a public broadcast.

1.10.4. Corrections Branch rules

1. The Corrections Branch prohibits unnecessary discussion over the radio. The following is not discussed:
 - Private activities of other people;
 - Remarks detrimental to individuals or establishments; and
 - Remarks that would discredit the Corrections Branch.
2. To clarify whether a message should be sent by radio, consult the shift supervisor.

1.10.5. Operating procedures

Staff are trained to Industry Canada radio operation standards and procedures.

1.10.6. Communication system test

Communication systems are tested at the

1.10.7. Inventory

Each centre maintains an inventory of radio and communication equipment.

1.11. Visitors (revised: Nov-11)

1.11.1. Authority

Authority for establishing visiting procedures is provided in section 33(2)(h) of the *Correction Act*, and sections 30 and 31 of the *Correction Act Regulation*.

1.11.2. Purpose

Visits provide an opportunity for inmates to maintain contact with family, friends and professionals.

1.11.3. Types of visitors—official

1. Official visits are authorised in section 31 of the *Correction Act Regulation*.
2. Official visitors include lawyers, members of Parliament or Legislative Assembly, Ombudsman's staff, on-duty police officers, probation and parole officers.
3. Visits made to an inmate by any of the above visitors are usually on a one-to-one basis and require private communication.
4. These visitors may visit an inmate at reasonable times. Inmates are not limited on such visits while in custody.
5. Refusal, suspension or termination of a visit by an official visitor requires approval of the warden or deputy warden of the centre. Such approval is only given if the visit is jeopardizing the management, operation or security of the correctional centre and restricting visits would not resolve the issue. Refer to section 31(4) of the *Correction Act Regulation*.

1.11.4. Types of visitors—programmatic

1. Programmatic visits are regulated by section 30 of the *Correction Act Regulation*.
2. Programmatic visitors include spiritual advisers, medical personnel, Gladue report writers, professional program providers, volunteers, private agencies, and community groups.
3. Subject to approval of the warden or designate, visits made by these visitors are usually to provide an activity, program, or service to inmates.
4. The setting and supervision required for the activity, program or service is based on the security level of the centre and inmate involved.

1.11.5. Types of visitors—family and friends

1. Personal visits are regulated by section 30 of the *Correction Act Regulation*.

2. Visitors who are family and friends usually visit one inmate at a time, during visiting hours set by the correctional centre.
3. An inmate is entitled to a minimum of two hours of such visits per week.

1.11.6. Visit settings

1. The setting for visits is determined mostly by the correctional centre's physical plant, availability of staff supervision, the inmate and visitor.
2. Inmates and visitors are expected to behave in a manner acceptable in a public place.
3. Official settings are used for professional visits that require privacy because the information being discussed is confidential.
4. In secure settings:
 - A barrier between the inmate and visitor prohibits physical contact, but does not impair vision or conversation; or
 - The inmate and visitor are completely separated.
5. In medium settings:
 - There are no barriers allowing for physical contact between inmates and visitor; or
 - A barrier between the inmate and visitor prohibit physical contact, but does not impair vision or conversation.
6. In open settings, the lack of barriers between the inmate and visitor allows for physical contact.

1.11.7. Freedom of association

1. Freedom of association, subject only to reasonable limits prescribed by law in a free and democratic society, is guaranteed in section 2(d) of the *Canadian Charter of Rights and Freedoms* contained in the *Constitution Act*.
2. Inmates, by virtue of their custodial placement, are restricted in their freedom to associate with others.
3. A visitor must not enter a correctional centre unless authorized by the warden.

1.11.8. Visit restrictions

1. Restrictions on visiting are not imposed arbitrarily or without cause.
2. The types of restrictions that may be imposed by the warden of a correctional center are identified in section 30(2) of the *Correction Act Regulation*.

1.11.9. Reasons for restricting visits

Visits may be denied, terminated, restricted or revoked when:

1. In the reasonable opinion of the warden there are grounds to believe that:
 - Safety of the inmate(s) or visitor(s) and security of the correctional centre would be, or is, jeopardized by the visit;
 - Contraband is detected/ suspected; and
 - The visit would impede the court's order of custody with regard to one or more inmates (e.g. no-contact order with co-accused or visitors); and
 - Methods available to control the time, setting and supervision of the visit would not reduce the risk posed by the visit.
 - Refer to sections 1.11.15 to 1.11.18.
2. As the result of an infraction under section 21 of the *Correction Act Regulation*, which occurs as a direct result of a visit, the disciplinary panel imposes the temporary or permanent loss of visiting privileges, described in section 27(1)(b) of the *Correction Act Regulation*.
3. The visitor is under 19 years and:
 - Not in the company of a parent or guardian;
 - Does not have written consent of a parent or guardian to visit; and
 - Has parental consent, but is not in company of an adult approved by a parent.
4. The visitor is apparently under the influence of drugs or alcohol.
5. The inmate does not wish to see the visitor.
6. The inmate or visitor is disruptive.
7. A visitor is under an active court supervision order (i.e. bail, probation, parole, conditional sentence, statutory release), or is within 90 days of release from custody or expiration of sentence.
8. Correctional centre staff may terminate a visit if they believe that the behaviour of a visitor or an inmate jeopardizes the management, operation or security of the correctional centre. Staff may order the visitor to be removed from the premises. This order or a visit termination must be reported immediately to the warden.

1.11.10. Visit requests

Visit requests by inmates and visitors are made for each visit in the manner prescribed by the warden.

1.11.11. Screening

1. Visit requests are screened to determine whether the visit should be granted, and to determine under what conditions (i.e. time, setting, and supervision) the visit should occur.
2. Processing is not delayed beyond the reasonable time needed to make a decision on the request.
3. If the request is granted, the visit(s) commences without undue delay.

1.11.12. Visitor identification

1. Visitors are required to provide proof of identity before being admitted to the correctional centre. Two pieces of identification are required, one of which is picture identification from a driver's licence, B.C. ID, passport, Bar Association or Law Society card, native status card, Canadian immigration or other federal or provincial government documentation.
2. A visitor's registry is kept that records the name, address, identity, copy of signature and relationship to the inmate of every visitor. The nature, date and duration of the visit is recorded on form #7605—Visitors' Register or in CORNET.
3. A visitor who refuses to comply with these requirements is denied entry to the correctional centre.

1.11.13. Notification

1. The warden ensures that visitors entering the centre are aware of the warden's authority to regulate visits by posting a sign in a place clearly visible to visitors entering the centre.
2. The "Notice to Visitors" sign may also outline rules for visitors.

1.11.14. Wording for "Notice to Visitors" sign

The warden is authorized to terminate a visit and/ or suspend visits by any person:

- Who brings or assists in bringing of contraband to or from the correctional centre; or
- Whose conduct causes concern for the safety of inmates or the security of the correctional centre.

1.11.15. Minor or major threat

A threat by an inmate or visitor to the security of the centre is:

1. A minor or lesser threat (e.g. the visitor is profane, vulgar or quarrelsome).
2. A major or serious threat (e.g. the visitor possesses contraband that constitutes an offence).

1.11.16. Suspension—minor threat

In the case of a minor threat, if a verbal warning has been ineffective, the deputy warden may impose one of the following:

- On the first incident, up to 15 days suspension of visits; and
- On subsequent incidents, up to 30 days suspension of visits.

1.11.17. Suspension—major threat

1. In the case of a major threat, the warden may impose up to a one-year suspension.
2. The warden, in exercising this discretion, is guided by factors such as:
 - Evidence pertaining to the threat;
 - Operational needs of the centre; and
 - Evidence of the visitor's conduct or co-operation.
3. Reasons for the decision are clearly conveyed to the visitor.
4. A written record is kept of evidence and factors on which the decision is based.
5. Reference to this information may be necessary if the decision is appealed.

1.11.18. Suspension beyond one year

If it is necessary to suspend the visiting privileges of a person beyond one year, prior approval of the provincial director is required.

1.11.19. Suspensions and warnings

1. Suspensions and warnings are entered on the CORNET visitor screen.
2. Suspensions are for a fixed duration.

1.11.20. Written notification

After deciding to terminate a visit, or suspend, restrict or deny a person's visiting privileges, the warden or deputy warden:

- Communicates in writing the decision and justification to the visitor, with a copy to the warden; and
- Informs the visitor of the procedure (outlined in section 1.11.21) for appealing a decision to suspend a person's visiting privileges.

1.11.21. Appeal

Individuals wishing to appeal a decision to suspend, restrict or deny visiting privileges may:

- In the case of a minor threat, request that the warden review the decision of the deputy warden. A written response is sent within 10 working days;
- In the case of a major threat, request that the warden reconsider the decision. A written response is sent within 10 working days; and
- In the case of suspensions beyond one year, request that the provincial director reconsider the decision. A written response is sent within 10 working days.

1.11.22. Notification of other centres

1. A suspension of visiting privileges at one correctional centre applies to all correctional centres.
2. The warden ensures that all correctional centres are notified of the outstanding suspension.
3. The warden ensures that banned visitors are entered on the Banned Visitors List in CORNET.

1.12. Searches of Visitors

1.12.1. Statutory/regulatory authority

Authority for searches of visitors is derived from section 14 of the [Correction Act](#) and sections 10 and 11 of the [Correction Act Regulation](#).

1.12.2. Definitions of searches

1. *Frisk search* means a hand search conducted by an authorized person of a clothed person from head to foot, down the front and rear of the body, around the legs, and inside clothing folds, pockets and footwear, and includes a search with a hand-held screening device. Refer to section 10(1) of the [Correction Act Regulation](#).
2. *Screening search* means a search that is conducted visually or with the use of a screening device, including a drug detection dog, ion spectrometry device, CO₂ detector, walk-through or hand-held metal detector or other screening device that is approved by the warden. Refer to section 10(1) of the [Correction Act Regulation](#).
3. Strip search is defined in section 11(1) of the [Correction Act Regulation](#) as follows:
“11(1) In the Act and in this section and section 12, “strip search” means a visual inspection by an authorized person of a nude person that includes
 - (a) a visual inspection of the following:*
 - (i) the person undressing completely;*
 - (ii) the open mouth, hands or arms of the person;*
 - (iii) the soles of the feet and the insides of the ears of the person;*
 - (iv) the person running his or her fingers through his or her hair;*
 - (v) the person bending over, and*
 - (b) the person otherwise enabling the authorized person to perform the visual inspection.*

1.12.3. Purpose

This policy establishes direction about searching visitors to control incoming drugs, weapons and other contraband that might threaten the safety and security of the correctional centre.

1.12.4. Warning about searches and surveillance

1. At each correctional centre, a warning is prominently posted at the entrance to the property and visiting area. It states that all visitors and vehicles at the correctional centre are subject to search and electronic surveillance.
2. Information concerning visiting rules and contraband items is posted for visitors in waiting areas.
3. Written information about visits and contraband is available to visitors upon request.
4. Visitors may be subject to a search, electronic monitoring and surveillance.

1.12.5. Individuals subject to searches

1. Individuals entering the grounds of a correctional centre, their vehicles and property in their possession may be subject to a search, including a consensual strip search, to ensure security and prevent contraband from entering a centre.
2. Searches are conducted in a manner and location that is sensitive to the privacy and dignity of the person being searched.

1.12.6. Searches of lawyers

1. Lawyers are subject to a search when they enter a correctional centre. Lawyers are scanned by a metal detector, but are not frisked unless there are reasonable grounds to do so.
2. A lawyer's briefcase may be searched.
3. Lawyers are permitted to carry valuables into a secure centre. Valuables include watches, rings, other jewellery and wallets. Valuables do not include cellphones, laptops, other communication or recording devices and cameras.
4. When lawyers state that a laptop computer is required to conduct business within the centre, they must demonstrate that it is working (e.g. turning it on/ off) before it is permitted.
5. A cellphone is not permitted.
6. Lawyers are required to wear a standard visitor tag.
7. To ensure the safety and security of staff, inmates and the correctional centre are not compromised, wardens may impose additional restrictions on lawyers.

1.12.7. Consequences of discovering contraband

Consequences when contraband is discovered while visitors, their vehicles or property are being searched include:

- Denial of an open visit;

- Visit denied and visitor requested to leave the correctional centre immediately;
- Visitor is detained until police are contacted when authorized by the person in charge. Detained visitors must be promptly informed of:
 - Reasons for the detention; and
 - Their right to retain and instruct counsel, and provided with a reasonable opportunity to make these arrangements;
 - Possible laying of criminal charges against the visitor; and
 - Temporary or permanent loss of visiting privileges.

1.12.8. Refusal to submit to search

If the visitor refuses to submit to the search, the visit is denied, and the visitor is requested to leave the correctional centre immediately.

1.12.9. Withdraw consent

If the visitor withdraws consent during a search, the search is terminated.

1.12.10. Consequences of refusal to submit to a search

Refusal to submit to a search does not constitute grounds for future searches or denial of future visits.

1.12.11. Report of denied or restricted visit

A written report of visits denied or restricted is prepared and forwarded to the warden prior to the end of each shift.

1.12.12. Frisk and screening searches

1. Visitors may be required to submit to a frisk or screening search prior to being admitted to the correctional centre.
2. A staff member of the same gender generally conducts a frisk search.
3. If a staff member of the same gender is unavailable, a staff member of the opposite gender in the presence of a second staff member may conduct the frisk search.

4. In a frisk search, a staff member searches a clothed visitor using a screening device or the staff member's hands are patted over the clothing of the visitor from head to foot down the front and rear of the body, and around the legs. Pockets and folds may be turned out and footwear examined. Property in the possession of the visitor is searched manually or with a screening device.
5. In a screening search, a staff member may search visually or with a screening device, including a:
 - Drug detection dog;
 - Ion spectrometry device;
 - CO₂ detector;
 - Walk-through or hand-held metal detector; or
 - Other screening device that is approved by the warden.

1.12.13. Strip search

1. If correctional centre staff have reasonable grounds to believe that a visitor possesses contraband, the visitor may be strip searched before being approved for an open visit. Such a search may only be conducted with the visitor's consent.
2. Strip searches are conducted in the presence of two officers who are the same gender as the visitor.
3. A strip search is conducted in a private place and is sensitive to the privacy and dignity of the person being searched.

1.12.14. Grounds for a strip search

1. Grounds for a strip search are based on the belief that a visitor may possess contraband, and that a strip search is necessary. This belief is based on facts, good judgment and experience.
2. Factors to be considered include:
 - Information received (e.g. date, time, location, individuals involved, type of contraband);
 - Reliability of information (e.g. identity of informant, whether previous information is valid);
 - Corroboration (e.g. whether information is consistent with known facts, other sources supplied similar information, informant has reason to provide false information); and

- Other facts contributing to suspicion (e.g. personal observations, results of searches of inmate or visitor, history of contraband smuggling attempts by inmate or visitor).

1.12.15. Authorization to conduct a strip search of visitors

Strip searches do not take place unless:

- Warden or designate authorizes the search;
- Visitor is informed in writing of the grounds for the search;
- Visitor is advised how strip search is conducted;
- Visitor consents to the search and signs the consent form; and
- A staff member of the same gender as the visitor conducts the search.

1.12.16. Same gender to conduct strip search

1. Strip searches of visitors only occur when staff members of the same gender are available to conduct the search.
2. A staff member of the opposite gender does not conduct or observe a strip search.
3. When no staff member of the same gender is available to conduct a strip search, the visit may be denied.

1.12.17. Conducting strip search procedures

Procedures are as follows:

1. The visitor is required to remove all articles from pockets.
2. Staff inspect these articles.
3. The visitor must undress completely.
4. Staff inspect and search each article of clothing.
6. Staff follow the strip search principles identified in section 1.12.2.
7. No visitor is left standing uncovered prior to or following the search procedure.
8. The visitor is provided with a clean gown (male or female), underwear (male) or body covering blanket or garment to avoid unnecessary embarrassment.

1.12.18. Written report of strip search

A written report of a strip search is prepared and forwarded to the warden, prior to the end of the shift.

1.12.19. Search of minors

1. Exceptional sensitivity is maintained when searching minors, particularly those less than 12 years of age.
2. In the case of toddlers and infants, parent(s) or guardian(s) do the check under the direct visual supervision of the officer(s).

1.12.20. Searching items of religious significance

1. Sensitivity is used when searching items of religious significance (e.g. turbans, sacred bundles, ceremonial pipes).
2. Many such items are not handled by staff, but searched by having the visitor handle them while being observed by staff.
3. Items such as kirpans or ceremonial weapons are not permitted.

1.12.21. Wording for a consent to a strip search form

Date/ Time

To: (Print name of visitor)

I (Name of officer in charge) authorize that you be subjected to a strip search prior to your visit with (name of inmate). The grounds for this search are: <explain the grounds for the search>

A strip search consists of a visual inspection of a nude person that includes a visual inspection of the:

- Person undressing completely;
- Open mouth, hands or arms of the person;
- Soles of the feet and the insides of the ears of the person;
- Person running his or her fingers through his or her hair;
- Person bending over, and
- Person in a way that otherwise enables the authorized person to perform the visual inspection.

You do not have to submit to this search. However, failure to do so will result in your open visit being denied.

If contraband is discovered while a search is being conducted:

- Your open visit may be denied;
- Your visit may be denied and you may be escorted off grounds;
- You may be detained until the police are contacted and you may be charged with a criminal offence; and/ or
- You may be temporarily or permanently denied visiting privileges.

<Signature of officer in charge>

I have read and understand the grounds warranting a search of my possessions and me, and I consent to being strip searched.

If I am detained as a result of this search, I have the right—and will be given the opportunity—to consult with counsel.

*Signed Dated

Witness (correctional officer)

*NOTE If the person to be searched is a minor, the accompanying parent or guardian signs this form.

- NOTE In the absence of a parent or guardian for a minor with pre-approved visiting privileges, when a search is required on reasonable and probable grounds, the visit is denied.

1.13. Search and Detention of Staff

1.13.1. Statutory/regulatory authority

Authority for searches of staff is derived from section 15 of the *Correction Act* and from sections 10 and 11 of the *Correction Act Regulation*.

1.13.2. Definitions

Refer to section 1.12.2 for definitions.

1.13.3. Purpose

This policy provides direction about searching staff members to control incoming drugs, weapons and other contraband that might threaten the safety and security of the correctional centre.

1.13.4. Routine and random searches

1. Searches without individualized suspicion may be authorised for security or safety purposes by the warden of the correctional centre.
2. Authorized routine searches may be conducted of staff entering or leaving or in the correctional centre. Personal possessions may also be searched, including clothing that staff may be carrying or wearing.
3. Authorized random searches may be conducted of staff lockers.
4. Staff must not impede or obstruct an authorized person who is conducting these searches.

1.13.5. Frisk and screening searches

1. Staff may be required to submit to a frisk or screening search while entering or leaving the correctional centre or at anytime when in the correctional centre.
2. A supervisor of the same gender conducts a frisk search.
3. In a frisk search, a supervisor searches a clothed staff member using a screening device, or the supervisor's hands are patted over the clothing of the staff member from head to foot, down the front and rear of the body, and around the legs. Pockets and folds may be turned out and footwear examined. Property in the possession of the staff member is searched manually or with a screening device.
4. In a screening search, a supervisor may search visually or with a screening device, including a:
 - Drug detection dog;

- Ion spectrometry device;
- CO₂ detector;
- Walk-through or hand-held metal detector; or
- Other screening device that is approved by the warden.

1.13.6. Authorization for search and detention

1. If the warden believes on reasonable grounds that a staff member is carrying contraband or is in possession of evidence related to a contraband offence, the warden may authorize a supervisor—with the staff member's consent—to conduct a frisk, screening or strip search.
2. The staff member may be detained without their consent pending attendance of the police.
3. Staff detained according to these procedures must be promptly informed of:
 - Reasons for the detention; and
 - Their right to retain and instruct counsel, and provided with a reasonable opportunity to make these arrangements.

1.13.7. Strip search

1. Strip searches are an unusual event.
2. A strip search of a staff member must be conducted by an authorized person of the same sex. This requirement is exempted when a delay in locating an authorized person of the same sex would result in danger to human life or safety. The search is conducted in a private place and in accordance with procedures in section 11 of the [Correction Act Regulation](#). This search is sensitive to the privacy and dignity of the staff member being searched.

1.13.8. Grounds for a strip search

1. Grounds for a strip search are based on the reasonable belief that a staff member may possess contraband, and that a strip search is necessary. This belief is based on relevant facts, good judgment and experience.
2. Factors to be considered include:
 - Information received (e.g. date, time, location, individuals involved, type of contraband);
 - Reliability of information (e.g. identity of informant, whether previous information is valid);

- Corroboration (e.g. whether information is consistent with known facts, other sources supplied similar information, informant has reason to provide false information); and
- Other facts contributing to the belief (e.g. personal observations, results of searches of inmates or visitors).

1.13.9. Authorization to conduct a strip search of staff

Strip searches do not take place unless:

1. Warden authorizes the search;
2. Staff member is informed in writing of the grounds for the search;
3. Staff member consents to the search and signs the consent form; and
4. A supervisor of the same gender as the staff member conducts the search. This requirement is exempted when a delay in locating an authorized person of the same sex would result in danger to human life or safety.

1.13.10. Strip search procedures

Conduct of the search follows the same procedure for searches of visitors set out in section 1.12.

1.13.11. Written report of strip search

Grounds, authorization, consent, process and outcome for a strip search of a staff member must be clearly documented. A written report of a strip search is prepared and forwarded to the warden, prior to the end of the shift.

1.13.12. Wording for a consent to a strip search form

Date/ Time

To: (Print name of Staff member)

I (Name of officer in charge) authorize that you be subjected to a strip search. The grounds for this search are:

A strip search consists of a visual inspection of a nude person that includes a visual inspection of the:

- Person undressing completely;
- Open mouth, hands or arms of the person;
- Soles of the feet and the insides of the ears of the person;

- Person running his or her fingers through his or her hair;
- Person bending over, and
- Person in a way that otherwise enables the authorized person to perform the visual inspection.

You do not have to submit to this search. However, failure to do so may result in your being detained for the assistance of the police.

If contraband is discovered while a search is being conducted:

- You may be detained until the police are contacted, and you may be charged with a criminal offence; and/ or
- You may be subject to disciplinary action.

(Signature of officer in charge)

I have read and understand the grounds warranting a search of my possessions and me, and I consent to being strip searched.

I understand that if I am detained as a result of this search, I have the right—and will be given the opportunity—to consult with counsel.

*Signed Dated

Witness (supervisor)

1.14. Searches—Contractors

1.14.1. Statutory/regulatory authority

Authority for searches of contractors is derived from section 15 of the *Correction Act* and sections 10 and 11 of the *Correction Act Regulation*.

1.14.2. Search definitions

Definitions are found in sections 10 and 11 of the *Correction Act Regulation*.

1.14.3. Purpose

This policy establishes direction regarding searches of contractors who provide services to correctional centres. The searches are intended to control incoming drugs, weapons or other contraband that might threaten the safety and security of the institution.

1.14.4. Contractor defined

A contractor carries out a personal service contract with government, or the employees of a company or agency that has contracted with government to provide goods or services.

1.14.5. Warning about searches

In addition to the requirement that each correctional centre posts a conspicuous warning, all individuals, personal property, and vehicles entering the property can be searched, as set out in sections 1.11.13, 1.11.14 and 1.12.4. Contractors are provided with a contractor's guide. The guide informs them about contraband items and that they may be subject to a search.

1.14.6. Search authorized by warden

The warden may authorize a search when there are reasonable grounds to believe a contractor may possess contraband.

1.14.7. Contractor's refusal to submit to a search

If a contractor refuses to consent to a search, a search is not performed, and the contractor is denied access to the correctional centre without undergoing a search.

1.14.8. Authorization to conduct a strip search of contractors

Strip searches do not take place unless:

- Warden or designate authorizes the search;

- Contractor is informed in writing of the grounds for the search;
- Contractor consents to the search and signs the consent form; and
- Staff member of the same gender as the contractor is available to conduct the search.

1.14.9. Contractor withdraws consent

If a contractor withdraws consent, the search is terminated.

1.14.10. Report of search

A written report of a search of a contractor, or refusal to submit to a search by a contractor, is prepared by the supervising officer and forwarded to the warden before the end of the officer's shift.

1.14.11. Search procedures

Conduct of the search follows the same procedure for searches of visitors set out in section 1.12.

1.14.12. Consequences of discovering contraband

1. The contractor's guide advises contractors about consequences if contraband is discovered while a search is being conducted.
2. Consequences may include:
 - Contractor being detained until local police are contacted;
 - Possibility of criminal charges;
 - Termination of service contract;
 - Security privileges to enter the correctional centre may be withdrawn on a temporary or permanent basis;
 - Entry to the centre denied; and
 - Review of security privileges for other centres.

1.14.13. Wording for a consent to a strip search form

Date/ Time

To: (Print name of contractor)

I (Name of officer in charge) authorize that you be subjected to a strip search prior to your entry to the correctional centre. The grounds for this search are:

A strip search consists of a visual inspection of a nude person that includes a visual inspection of the:

- Person undressing completely;
- Open mouth, hands or arms of the person;
- Soles of the feet and the insides of the ears of the person;
- Person running his or her fingers through his or her hair;
- Person bending over, and
- Person in a way that otherwise enables the authorized person to perform the visual inspection.

You do not have to submit to this search. However, failure to do so will result in your entry being denied.

If contraband is discovered while a search is being conducted:

- Your entry may be denied;
- You may be requested to leave the correctional centre;
- You may be detained until the police are contacted and you may be charged with a criminal offence;
- You may be temporarily or permanently denied access to this and other correctional centres; and/ or
- Your contract may be terminated.

(Signature of officer in charge)

I have read and understand the grounds warranting a search of my possessions and me, and I consent to being strip searched.

I understand that if I am detained as a result of this search, I have the right—and will be given the opportunity—to consult with counsel.

*Signed Dated

Witness (correctional officer)

1.15. Searches—Inmates (revised: Sep-12)

1.15.1. Searches authority

Legal authority to conduct searches of an inmate or an inmate's property is in section 13 of the *Correction Act* and sections 10, 11 and 12 of the *Correction Act Regulation*.

1.15.2. Search definitions

Definitions are found in sections 10 and 11 of the *Correction Act Regulation* and section 1.12.2 of this policy.

1.15.3. Purpose

This section outlines situations in which the search of an inmate is justifiable and the degree to which force may be used to conduct searches.

1.15.4. Grounds for searches of inmates

1. Searches are conducted upon admission, entry or return to a correctional centre.
2. Searches may be conducted when an officer has reasonable grounds to believe that the inmate has contraband that may threaten the operation, discipline or security of the correctional centre.
3. Searches may be conducted, on the standing order of the warden, when there is a demonstrable risk of contraband traffic. In such situations, no individualized grounds are required.
4. Searches may be conducted following an arrest, cell entry, apprehension of an inmate, or disturbance, to ensure officer safety and the preservation of evidence.

1.15.5. Categories of searches

1. Searches may be divided into four categories.
2. Frisk searches occur when an officer searches a clothed inmate using a hand-held screening device or the hands of the staff member are patted over the clothing of the inmate being searched. Pockets and folds may be turned out. Property in the possession of an inmate may be searched manually or with a hand-held screening device.
3. In screening searches, there is little or no physical contact with the subject. They include use of urinalysis, drug detection dogs, ion spectrometry devices, x-ray, CO2 detector, visual scans, walk-through or hand-held metal detectors, and other screening devices approved by the Corrections Branch.

4. Strip searches are visual searches of fully unclothed inmates with no physical contact. These searches include visual checks of body cavities. Refer to section 1.15.6.
5. Internal searches are invasive searches of body areas. Correctional staff do not conduct such searches.
6. The level and type of search employed by an officer is at the minimum level required to achieve a lawful purpose.
7. Force may be used in searching only when other less intrusive measures are exhausted or rejected as impractical.
8. If circumstances allow and prior to conducting a search, the officer:
 - Informs the inmate of the rationale/ grounds for the search; and
 - Describes the process of conducting the search, and co-operation expected.
9. Procedures relevant to demands for urinalysis or ion scan samples are in sections 1.17.8 and 1.18 respectively.

1.15.6. Conducting strip searches

The strip search is conducted to discover contraband as follows:

1. The inmate is required to remove all articles from pockets.
2. Staff inspect all articles.
3. The inmate completely disrobes.
4. Staff inspect and search each article of clothing for the concealment of contraband.
5. Staff must follow the strip search principles identified in section 1.12.2 of this policy.
6. No inmate is left standing uncovered prior to or following the search.
7. The inmate is provided with a clean gown (male or female), underwear (male), blanket or body covering garment to avoid unnecessary embarrassment.

1.15.7. Refusal

1. When an inmate refuses a lawful demand for a search, the officer advises the inmate of the consequences.
2. Force is only used in searching a non-compliant inmate when the risk of not searching would place the officer or others at risk, and if other less intrusive measures have been exhausted or rejected as impractical.

1.15.8. Gender standard

1. A strip search is only conducted by a staff member of the same gender as the inmate. This requirement is exempted when the warden or designate believes on reasonable grounds that a delay in locating an authorized person of the same gender would result in danger to human life or safety. A second staff member of the same gender as the inmate observes the correctional officer conducting the strip search.
2. Frisk searches of male inmates are routinely conducted by staff of the opposite gender.
3. Screening searches may be conducted by any staff member regardless of gender.

1.15.9. Strip searches

1. A strip search is conducted in a private place and in accordance with sections 11 and 12 of the *Correction Act Regulation*.
2. A strip search is not viewed or recorded on camera.
3. The inmate remains unclothed for the minimum period of time required to complete the search.
4. A written record of the strip search is entered on CORNET Client Log and includes the names of the officer(s) conducting the search unless the strip search is conducted upon the:
 - Admission, entry, transfer or return of an inmate to a correctional centre;
 - Entry to, or return from, a cell in a segregation unit; or
 - Return of an inmate from a visit, work or program area in the correctional centre if the inmate could have had access to an item that is contraband and may be hidden on or in the inmate's body.

1.16. Contraband

1.16.1. Statutory/regulatory authority

Contraband is defined in section 1 “definitions” of the [Correction Act](#) and its introduction to a correctional centre is defined as an offence in section 17 of the act.

1.16.2. Definition

Contraband is defined as:

“(a) an intoxicant;*

(b) if possessed without prior authorization, a weapon, any component of a weapon or ammunition for a weapon, or anything that is designed to kill, injure or disable or is altered so as to be capable of killing, injuring or disabling;

(c) an explosive or bomb, or any component of an explosive or bomb;

(d) if possessed without prior authorization, any currency;

(e) if possessed without prior authorization, tobacco leaves or any products produced from tobacco in any form or for any use;

(f) if possessed without prior authorization, any other object or substance that, in the opinion of an authorized person, may threaten the management, operation, discipline or security of, or safety of persons in, the correctional centre;”

* Refer to section 1 “definitions” [Correction Act Regulation](#), which defines an intoxicant as “a substance that, if taken into the body, has the potential to impair or alter judgment, behaviour or the capacity to recognize reality or to meet the ordinary demands of life, but does not include caffeine, nicotine or any authorized medication used in accordance with the directions given by a staff member or health care professional”.

1.16.3. Notification

Each correctional centre posts policy for control of contraband in a manner that is clear to inmates, visitors, staff and contractors.

1.16.4. Seizure

1. Pursuant to section 18(1) of the [Correction Act](#), staff may seize an object or substance if, on reasonable grounds, they believe it is contraband or is evidence related to an offence.

2. As soon as practicable, staff must:

- Make a record describing the object or substance and the circumstances in which it was seized;
- Deposit the object or substance in a secure place in the correctional centre; and
- Ensure continuity of evidence if the object or substance is required as evidence in a trial, inquiry or proceeding other than a disciplinary hearing in accordance with section 25 of the *Correction Act Regulation*.

1.16.5. Disposition

1. A seized object or substance is returned to the owner if:

- It is in the custody or control of the warden of the correctional centre,
- It is not contraband or evidence relating to an offence, and
- There is no dispute about who owns it.

2. When a seized object or substance is contraband, but its possession outside the correctional centre would be lawful, staff may:

- Store it in inmate's effects;
- Provide it to police for police investigation, charges or disposal if evidence in a criminal offence;
- Send it out of the correctional centre within 30 days of the inmate being notified of this requirement
- Dispose of it if the object or substance:
 - Is perishable or subject to spoilage;
 - Will deteriorate in value if kept;
 - Involves unreasonable expense or inconvenience
 - Is unsafe to retain; or
 - Is dangerous to life, health or property.

3. Items that are modified from correctional centre property can be inventoried, secured and held at the correctional centre if—in the judgment of the warden—they have value for instructional purposes.
4. Contraband, whose possession is prohibited by law and not of value for instructional purposes, is disposed of in a manner determined by the warden in accordance with section 18(6)(c) of the *Correction Act* and any other applicable legislation.

1.16.6. Money seized as contraband when no lawful owner is determined

Money is remitted to the Ministry of Finance, Parliament Buildings, within 60 days of confiscation. The warden advises the inmate in writing of the forfeiture.

1.17. Drug Interdiction (revised: Feb-12)

1.17.1. Purpose

1. The Corrections Branch is committed to eliminating possession and trafficking in all drugs and alcohol in correctional centres.
2. Accordingly, the Branch has a zero tolerance policy with respect to such activities and has memoranda of understanding (MOU) with local police agencies to address information exchange and enforcement issues.

1.17.2. Strategy

1. The deputy warden of operations is responsible for the drug interdiction strategy, including elimination of illegal drugs and contraband in correctional centres.
2. The deputy warden of operations establishes contacts with senior staff members in local police services to move information to and from the correctional centre.
3. The deputy warden of operations reports to the warden on progress in implementing and maintaining the drug interdiction strategy.
4. Allegations of criminal activity by staff, contractors or volunteers are referred to the police. Excluded managers conduct investigations in consultation with the police.
5. Staff co-operate fully with police investigations.

1.17.3. Local policy

Each warden ensures that local policy clearly defines how the centre complies with the provincial zero tolerance policy.

1.17.4. Staff roles

1. Staff are the most important element in the Corrections Branch approach to eliminating drugs.
2. Staff are expected to apply due diligence in observing, detecting, and reporting drug use and trafficking related to correctional centres.

1.17.5. Prevention—case management planning

Inmates identified by risk/needs assessment as having a substance problem are directed to participate in substance abuse programming.

1.17.6. Risk assessment

1. Risk assessments related to substance abuse are updated as required.
2. Events to be recorded include:
 - Completion of a substance abuse program;
 - Conviction on a drug-related offence under the *Correction Act Regulation*; or
 - When there are grounds to believe that the inmate has been involved in drug-related activities.

1.17.7. Detection tools

To assist Corrections Branch staff to detect drugs and alcohol, and to determine and support charges, the following detection aids may be employed:

- Urinalysis;
- Drug detection dogs;
- ION scanners;
- CO₂ detectors;
- Video surveillance;
- Intercepted communications; and
- Other approved drug detection methods or devices.

1.17.8. Urinalysis

1. Legal authority for urinalysis is found in section 20 of the *Correction Act* and section 16 of the *Correction Act Regulation*.
2. Inmates may be required at anytime to submit to urinalysis if an authorised person believes, on reasonable grounds that the inmate has taken an intoxicant into his or her body.
3. Inmates participating in temporary absence, work or treatment programs may be required to submit to urinalysis at regular intervals or at any time there is belief on reasonable grounds that an intoxicant has been used.

4. Procedures for conducting urinalysis are found in section 16 of the *Correction Act Regulation* and 1.19 of this policy.

1.17.9. Referral to health care professional

Inmates suspected of ingesting or carrying drugs internally are referred to a health care professional for assessment.

1.17.10. Sanctions

Applicable sanctions under the *Correction Act Regulation* and federal drug laws are used to the fullest extent applicable.

1.18. Ion Scanner

1.18.1. Preface

1. An ion spectrometry analyser (ion scanner) is programmed to detect minute traces of drug and/ or explosive substances.
2. The Corrections Branch employs the ion scanner in correctional centres as part of its drug interdiction and security program.

1.18.2. Roles and responsibilities

1. According to Canadian Nuclear Safety Commission (CNSC) requirements, the Corrections Branch has designated the Adult Custody Division headquarters program analyst (operations) as the Branch's provincial radiation safety officer (RSO).
2. The designated analyst assumes responsibility for duties outlined by CNSC, and monitors correctional centre and site specific RSOs for compliance with licencing requirements.
3. Each centre operating an ion scanner designates a staff member, usually the deputy warden of operations or deputy warden of programs, as the radiation safety officer (RSO) according to requirements of the CNSC.
4. The RSO is an officer within the institution who monitors use and maintenance of the device, and complies with the annual requirements of the CNSC as detailed by that agency.
5. The correctional centre RSO establishes procedures for training staff to operate the equipment according to the manufacturer's specifications and CNSC requirements.

1.18.3. Use and authority

1. The ion scanner may be used to:
 - Scan clothing or possessions of anyone visiting a correctional centre;
 - Scan property brought into a correctional centre for an inmate;
 - Scan the possessions, correspondence or the person of an inmate in a correctional centre according to section 10(2) of the *Correction Act Regulation*; and
 - Analyze a substance or sample taken from an article or surface obtained by a correctional officer in the performance of their duties.
2. The ion scanner is only used on staff or their property with authorization of the correctional centre warden.
3. Samples for ion spectrometry are obtained through non-invasive search techniques.

1.18.4. Definitions

For the purposes of this section only, the following definitions apply:

1. Non-intrusive search is defined as a:

A visitor who refuses to provide such items is subject to restrictions or prohibitions from visiting.

2. Threshold level is defined as a numerical value that is recorded and, once exceeded, may be grounds for action (i.e. refusing or restricting a visit or proceeding with inmate discipline). These levels are set by the Corrections Branch and reviewed as required.
3. Positive reading is defined as a positive indication of trace drug or explosive substance ions on an item, beyond the pre-set threshold value. This reading would indicate recent or current contact with a drug or explosive substance.
4. Qualified personnel are defined as a correctional officer or other Corrections Branch staff member who has been trained and qualified to use the ion scanner.
5. Swiping is defined as a means to rub an approved cotton cloth over an item.
6. Vacuuming is defined as running a small portable designated vacuum over an item.
7. The manufacturer provides warm-up and verification procedures to ensure accurate functioning of the scanning device. These procedures include daily and weekly maintenance and verification requirements of the scanner.

1.18.5. Response to positive readings

1. A positive reading on the ion scanner is evidence of contraband drugs or explosive substance, or contact with contraband drugs or explosive substance.
2. It may be used in support of proceedings under the regulations regarding an inmate or staff member, or decisions about visiting privileges.
3. Each centre has clear policy regarding restrictions imposed on visitors, and when prohibition is the outcome of a positive reading.
4. Such policy is consistent from centre to centre unless otherwise required by a warden.
5. At a minimum, Corrections Branch policy is as follows:

6. Reports are submitted on positive readings.

1.19. Substance Testing of Inmates

1.19.1. Introduction

The following procedures apply to the testing of inmate bodily fluids and breath samples. This does not include a search that uses ion spectrometry or similar scanning devices.

1.19.2. Tests permissible

Substance testing is permissible on reasonable grounds when it is an adjunct to security and programming services.

1.19.3. Equipment

1. Only approved kits and equipment provided by laboratories or test kit suppliers are used. This includes an approved alcohol screening device (ASD) and other devices approved by the Corrections Branch.
2. When certification is required, staff using such equipment are certified.

1.19.4. Procedures

1. Procedures for urinalysis are found in section 16(1) of the *Correction Act Regulation*.
2. Other samples are collected according to instructions provided by the equipment supplier or laboratory doing the analysis.

1.19.5. Consent

1. Urinalysis is done in accordance with section 20 of the *Correction Act* and section 16 of the *Correction Act Regulation*.
2. Inmates accepting a temporary absence, or engaged in a program with a condition to submit to such a test upon request, are considered to have given their consent upon signing the temporary absence permit or other consent document.

1.19.6. Conditions

Testing is only employed under the following circumstances:

1. To determine compliance with temporary absence or program conditions.
2. To determine compliance with probation conditions for inmates serving intermittent sentences.

3. To confirm substance use in the correctional centre where there are reasonable grounds to suspect use.

1.19.7. Refusal

1. When pre-consent is obtained from the inmate (i.e. temporary absence or parole condition or program participation agreement), refusal to provide a sample for analysis may be a violation of the release or program conditions, and result in grounds for revocation or removal. There may be disciplinary action. Refer to section 20(1) of the *Correction Act*, and 16(3) and 21(n) of the *Correction Act Regulation*.
2. When an inmate refuses to provide a sample for analysis and no pre-consent has been obtained, the refusal is grounds for disciplinary action according to the section 21(n) of the *Correction Act Regulation* if an authorized person has reasonable and probable grounds to demand a urinalysis.

1.20. Disciplinary Hearing Guidelines (revised: Nov-11)

1.20.1. General

1. The establishment of a disciplinary process at correctional centres is outlined in section 33(2)(k-r) of the *Correction Act* and section 21-29 of the *Correction Act Regulation*.
2. Although some basic rights are suspended or restricted by incarceration, administrative and procedural fairness apply to disciplinary hearings.
3. Inmates are entitled to examine, hear and understand the case against them and present their case.
4. A disciplinary hearing is not a criminal trial. It is an administrative hearing with procedural rules to ensure a fair presentation of evidence, a hearing of both sides, and a just determination of facts.
5. The guidelines outlined in this section assist employees through the procedural steps in disciplinary hearings, and ensure that staff responsibilities are discharged according to the *Correction Act Regulation*.

1.20.2. Initiation of disciplinary proceedings (section 23, CAR)

1. When an inmate breaches a rule in section 21 of the *Correction Act Regulation*, and circumstances permit the breach to be settled informally, correctional officers settle the breach, subject to limitations established by section 22 of the *Correction Act Regulation*. If the breach cannot be settled informally, correctional officers deal with the incident formally and in writing.
2. The reporting officer files a written report in the designated format by recording the:
 - Identity of the inmate;
 - Location, date and time of the breach;
 - Specific violation of section 21 of the *Correction Act Regulation*;
 - Circumstances of the breach;
 - Immediate action taken; and
 - Statements made by the inmate, including reasons for the behaviour.
3. The violation report is brief, clear and specific. It cites the breached regulation, how it was breached, and names of others involved, including witnesses.

4. When witnesses and physical evidence are present, the reporting officer completes the top portion of part II of the report.
5. The reporting officer presents the completed violation report to the designated supervisor for review.
6. Charge approval occurs once it has been satisfied that:
 - The charge cannot be handled informally;
 - There is sufficient evidence to support a charge; and
 - The proper charge is being applied.
7. Upon charge approval, the hearing takes place within 72 hours in accordance with section 26 of the *Correction Act Regulation*.
8. Following charge approval, the inmate is provided with a copy of the violation report in accordance with section 23 of the *Correction Act Regulation*.
9. The inmate is provided an opportunity to consult with a lawyer or seek legal representation.
10. The violation report is submitted as evidence at the hearing.

1.20.3. Investigating correctional officer—appointment

1. An investigating officer may be appointed by the warden or designate, when the:
 - Severity of the allegation warrants further investigation;
 - Circumstances appear complex; or
 - Reporting officer is not available.
2. The investigating officer or reporting officer may give oral evidence at the hearing.

1.20.4. Investigating officer—responsibilities

The appointed investigating officer completes the investigation section of the violation report and records/ collects:

- Accounts of witnesses, staff and inmates (excluding the offending inmate) who can give direct evidence;
- A synopsis of the incident; and
- Other information or evidence directly related to the charge.

1.20.5. Warden—responsibilities

1. The warden or designate, based upon case complexities or operational needs, determines whether the charge should be heard by:
 - A deputy warden;
 - An officer of supervisory rank; or
 - A person appointed according to section 25(1)(b) of the *Correction Act Regulation*.
2. A person appointed to conduct a hearing must have successfully completed training approved by the Corrections Branch.

1.20.6. Individuals who are disqualified from hearing charges

1. A staff member, who has direct personal knowledge of the facts or involvement in the incident that resulted in the charge, is disqualified from hearing the charge. Refer to section 25(2) of the *Correction Act Regulation*.
2. The person, who completes the initial review to determine if segregation pending disciplinary hearing is required (section 24, *CAR*), is disqualified from hearing the charge.

1.20.7. Criminal offence

1. When an inmate is alleged to have committed an act that constitutes a criminal offence, the warden or designate may contact the local police detachment to investigate.
2. The police may recommend criminal charges to Crown counsel.
3. Disciplinary action against an inmate for a violation of the *Correction Act Regulation* may proceed while police are investigating the same incident for criminal charges.

1.20.8. Conduct of hearing

1. Refer to section 26, *Correction Act Regulation*.
2. Disciplinary hearings take place as soon as practicable and no later than 72 hours from the time the charges are approved.
3. A hearing may begin without the inmate present if the inmate:
 - Is at court;
 - Is absent for medical reasons;
 - Is authorized or required by an act of Canada or the province to be somewhere else;

- Has escaped custody; or
 - Is unlawfully at large.
4. The inmate attends throughout the hearing, unless the:
 - Inmate refuses or chooses not to attend;
 - Person conducting the hearing believes that the inmate would jeopardize the safety of a person at the hearing; or
 - Inmate seriously disrupts the hearing.
 5. If the inmate has no counsel, the inmate is provided reasonable assistance to present a defence, and understand procedures and consequences of the hearing.
 6. The inmate may be dismissed while the disciplinary chairperson deliberates the decision and/or disposition.
 7. When the inmate requests a lawyer to assist in the defence of an allegation, an inmate is provided an opportunity to consult with a lawyer or seek legal representation. In the unusual event that the disciplinary chairperson considers denying an inmate's request for legal representation, the disciplinary chairperson reviews the reasons for the request and is guided by the following:
 - Seriousness of the allegation and potential penalty;
 - Case is likely to be complicated, or raise legal or procedural issues;
 - Capacity of the inmate to understand the proceedings and present a defence; and
 - Need for reasonable speed in completing the disciplinary process.

The disciplinary chairperson provides reasons if a request for legal representation is denied.

8. A recording of the hearing is compiled and includes the violation report and other reports considered during the hearing. The recording is retained, according to schedules in the *Document Disposal Act* and *Freedom of Information and Protection of Privacy Act*.

1.20.9. Procedural steps for the hearing

Opening:

1. Test recording equipment to ensure it is functioning properly.
2. Record time/ date and location.

3. Identify the disciplinary chairperson and have other individuals in the room identify themselves.
4. Identify the inmate by name and number—have the inmate confirm it for the record.
5. Confirm that the inmate has received a copy of the violation report.
6. Ask if the inmate has had an opportunity to consult with a lawyer. If the inmate:
 - Does not wish to have a lawyer, or has spoken with a lawyer but is ready to proceed without a lawyer, continue to step 7;
 - Requests to speak to a lawyer before proceeding, adjourn* the hearing to give the inmate time to speak with a lawyer; or
 - Requests to have a lawyer present for the hearing, determine when the lawyer can be present; if reasonable, adjourn* the hearing to that time; if not reasonable, adjourn* the hearing to a specific time and advise the inmate to advise the lawyer accordingly.

Charge:

7. Read the charge to the inmate.
8. Ensure the inmate understands the charge; if not, explain it in plain language.
9. Ask the inmate to plead to the charge: “How do you plead, guilty or not guilty?”
10. Record the plea and proceed to step 11 if the plea is “guilty,” or to step 12 if the plea is “not guilty” or the inmate refuses to enter a plea.

Guilty plea:

11. Have the facts and other relevant reports presented, and confirm the “finding of guilt” based on the plea and the facts presented. Proceed to step 15.

Not guilty plea:

12. Not guilty plea or a refusal to plea:
 - Call the charging officer to give evidence;
 - Call the investigating officer (who is the charging officer if an investigating officer was not appointed) to give evidence;
 - Allow the inmate to ask questions; or
 - Call other witnesses if appropriate.

13. Hear the inmate's account and allow witnesses if it appears they can provide relevant evidence. When assessing whether to call a witness requested by the inmate or counsel, ask what information the witness can provide. Give reasons for a decision.
14. Based on the evidence presented, determine if the allegation is supported (guilty) or should be dismissed (not guilty). Advise the inmate of the finding and provide the reasons for it. If the allegation is dismissed, conclude the hearing and document the findings (step 20).

Disposition:

15. If the inmate pleads guilty or is found guilty on the evidence, advise the inmate that a disposition will be imposed. Ask if the inmate has anything to say in relation to the disposition prior to imposing.
16. Access CORNET records to review relevant information.
17. Impose a disposition and give reasons.

Closing:

18. Advise the inmate of the provisions of sections 27(4) and 29(1), and ensure they understand what they mean.
19. Respond to any unsolicited request by the inmate to reduce or suspend a portion of the disposition according to section 27(4). Confirm and record the disposition, with reasons.
20. Sign off the violation report.
21. As soon as practicable, provide written reasons to the inmate for the decision and the penalty imposed.

*Any time the hearing is adjourned, including each time the recording is paused, indicate on the recording the time and the reason for the adjournment, and the time and date when the hearing recommences. If individuals in the room have left or others have entered the room, ensure they are identified for the record.

1.20.10. Adjournments

1. Once the hearing starts and the disciplinary chairperson determines that the hearing cannot continue (due to the absence of the inmate or critical witnesses, the inmate's request to consult with a lawyer, lack of pertinent evidence, or need for the inmate to prepare a defence), the disciplinary chairperson may adjourn the hearing until it may reasonably be completed. An adjournment must not be unduly prejudicial to the inmate.
2. Reasons for the adjournment are recorded.
3. The person who has conducted the hearing and heard the evidence must decide the case. Evidence of the case that is heard by the chairperson is seized.

1.20.11. Finding

1. The disciplinary chairperson fairly and impartially considers all of the evidence at the hearing, and determines, on the balance of probabilities, whether the charge might be substantiated.
2. The disciplinary chairperson considers any special needs of the inmate, including but not limited to a diagnosis of a mental illness disorder.
3. It is not necessary to find the accused guilty “beyond a reasonable doubt.” However, the evidence weighed by the disciplinary chairperson should be relevant, trustworthy and credible.
4. When determining that the charge is not substantiated, the disciplinary chairperson dismisses the charge.
5. The disciplinary chairperson advises the inmate of the finding and records the reasons for its determination.
6. Written reasons are provided to the inmate as soon as practicable and recorded in the client log.

1.20.12. Disposition

1. When the charge is substantiated by evidence or the inmate admits the offence, and before determining the disposition, the disciplinary chairperson:
 - Accesses CORNET records to review relevant file information;
 - Takes into consideration any special needs of the inmate, including but not limited to a diagnosis of a mental illness disorder; and
 - Asks if the inmate has anything to say before disposition is imposed.
2. After considering paragraph 1 above, the seriousness of the offence and effect the disposition may have on the inmate and inmate population, the disciplinary chairperson imposes a penalty consistent with section 27 of the [Correction Act Regulation](#). Any time spent in segregation pending the hearing must be included in the disposition.
3. Section 27(2) and (3) of the [Correction Act Regulation](#) set out the maximum penalties for offences and the maximum consecutive time that can be served in segregation.
4. The disciplinary chairperson may suspend all or part of a disposition with or without a request from the inmate in accordance with section 27(4) of the [Correction Act Regulation](#).
5. A CORNET Client Log entry is made to confirm that the inmate was provided with a copy of the disposition.
6. The inmate is advised in writing of the disposition.

7. If the disposition is suspended with conditions, the conditions must be recorded in the violation report and a copy provided to the inmate.

1.20.13. Reduction/suspension of penalties

1. The disciplinary chairperson responds to any requests for a reduction or suspension of the disposition made prior to the end of the hearing, and confirms or adjusts the penalty in accordance with section 27(4)
2. If the disposition is suspended with conditions, the conditions must be recorded in the violation report and a copy provided to the inmate.
3. The disciplinary chairperson must review requests that are made according to section 27(5) after the hearing has been concluded. If the disciplinary chairperson is not available, the warden or designate must make a decision within 14 days of receipt of the application. The inmate must be notified in writing of the decision with reasons and any conditions attached.

1.20.14. Failure to comply—section 27(6)

1. When an inmate fails to comply with a term or condition imposed as the result of reduction or suspension of a disposition and action is considered appropriate, the officer in charge must convene a hearing about the failure to comply with the conditions. To reimpose any previously reduced or suspended time, a hearing must be held. Rules governing the conduct of a hearing apply.
2. When it is determined that the inmate did not comply with the conditions, the previously reduced or suspended disposition must be imposed.
3. The review of decision procedures that are outlined in section 29(1) of the *Correction Act Regulation* apply to this hearing.

1.20.15. Review of decision

The inmate is advised about review of decision procedures that are outlined in section 29(1) of the *Correction Act Regulation*.

1.20.16. Conclusion

The disciplinary chairperson ensures the violation report is complete and accurate, and certifies it by signing in the space provided.

1.20.17. Appointments by the assistant deputy minister

1. The assistant deputy minister, Corrections Branch may appoint in writing, a person—other than an officer—to convene a disciplinary hearing in a correctional centre, according to section 25(1)(b) of the *Correction Act Regulation*.

2. A warden, wishing to appoint a person who is not a correctional employee, follows these procedures:
 - Obtains concurrence from the provincial director, Adult Custody Division;
 - Conveys details of the plan in writing to the assistant deputy minister, once concurrence is obtained from the provincial director; and
 - Conveys in writing the name, address, telephone number and a resumé of the person to be appointed, to the assistant deputy minister. Such person must possess qualifications established by the provincial director.
3. The assistant deputy minister, once in receipt of this information, advises the warden of the decision.
4. Appointments of a person—other than a correctional employee—to disciplinary hearings are for one year, unless the assistant deputy minister terminates the appointment earlier.

1.20.18. Statement of penalties imposed

Form #7602, statement of penalties imposed, is completed monthly. A summary is forwarded on a quarterly basis to the provincial director, Adult Custody Division.

1.21. Segregation (revised: Feb-11)

1.21.1. Definition

1. A “segregation unit” means an area designated by the warden to segregate inmates. Refer to the definitions of the [Correction Act Regulation](#).
2. A segregation unit’s primary function is to house inmates who are awaiting a disciplinary hearing or serving a disposition as a result of an inmate disciplinary hearing.
3. A segregation unit may house inmates who are on “separate confinement”—a temporary placement that is used when no other reasonable placement exists.

1.21.2. Segregation unit records

The deputy warden of operations ensures that a segregation unit logbook is maintained in which the following is recorded:

1. Name of each inmate and the assigned cell number, with the date and time of the start and end of confinement;
2. Name of the officer who ordered the confinement;
3. Date and time of any absence from the segregation cell, the reason for the absence, the name of the officer authorizing the absence, and the date and time of the inmate’s return to the cell;
4. Date and time of any visit to the inmate, the name of the visitor and, in the case of a Corrections Branch employee, his or her position; the names of the officers on each shift supervising the segregation unit; and
5. Date, time and summary of details concerning any unusual occurrence in the segregation unit.

1.21.3. Segregation pending disciplinary hearing

1. Authority and reasons for placing an inmate on segregation status pending a disciplinary hearing are found in section 24 of the [Correction Act Regulation](#).
2. An inmate should not be held in the segregation unit without valid reasons, which are:
 - Inmate is likely to endanger self or other person if not housed in segregation;
 - Inmate is likely to jeopardize the management operation and security of the correctional centre; and
 - Segregation is necessary to preserve evidence for the disciplinary hearing.

3. Any order to place an inmate on segregation status pending a disciplinary hearing must be reviewed by the warden or designate within 24 hours of being made, and must be reviewed and recorded in CORNET at least every following 24 hours until the conclusion of the hearing.
4. Inmate privileges may be withdrawn due to limitations of the area where the inmate is kept, operational requirements of the centre or the protection of inmates or staff. Refer to section 2(2) of the [Correction Act Regulation](#).
5. A written determination by the warden or designate is required to limit the rights of an inmate in disciplinary segregation. A copy of the determination is given to the inmate within 24 hours of it being made.
6. Correctional staff assigned duty in a segregation unit must have correctional officer status.

1.21.4. Segregation for medical observation

1. Authority for placing an inmate in segregation for medical observation is found in section 17(1)(a)(v) of the [Correction Act Regulation](#).
2. Recommendations for placement in segregation for medical observation are reviewed and approved, in consultation with correctional staff, by the health care manager or designate, or the on-call physician, prior to placement being effected.
3. Correctional supervisors ensure that necessary information regarding the reasons for confinement, the supervision level, and the inmate's condition and needs are conveyed to segregation staff verbally and in writing in the CORNET Client Log.
4. Correctional supervisors ensure that health care personnel conduct regular physical assessments of inmates placed in segregation for medical reasons.
5. Inmate privileges may be withdrawn due to the:
 - Limitations of the area where the inmate is housed;
 - Operational requirements of the centre; or
 - Need to protect the inmate, staff or other inmates. Refer to section 2(2) of the [Correction Act Regulation](#).

1.21.5. Segregation for separate confinement

1. Inmates on separate confinement referred to in section 17, 18, 19 of the [Correction Act Regulation](#) may be housed in the segregation unit when no other reasonable option exists.
2. The recommendation to place an inmate in segregation must be clearly noted on the Separate Confinement Notification form.

3. Privileges may not be withheld from an inmate unless—on an individual basis—the provision of privileges affects the overall operation of the unit or poses a risk to the inmate, staff, or other inmates. Refer to section 2(2) of the *Correction Act Regulation*.

1.22. Separate Confinement (revised: Nov-11)

1.22.1. Authority

Authority for the separate confinement of inmates is contained in section 33(2)(d) of the *Correction Act* and sections 17 to 20 of the *Correction Act Regulation*.

1.22.2. Definition

1. Separate confinement is a temporary measure for removing particular inmates from some or all inmates for security or safety reasons.
2. Separate confinement is not punitive and is only used to provide the correctional centre or inmate an opportunity to remedy behaviour or circumstances that led to the separate confinement.
3. Such confinement may be within the segregation unit when no other reasonable option exists.
4. A separately confined inmate may be placed in the same cell as another inmate when the person in charge determines that it is appropriate.

1.22.3. Circumstances for separate confinement

The warden or person in charge can place an inmate apart from some or all inmates, by authority of section 17 of the *Correction Act Regulation* when the inmate:

1. Is endangering him/herself or is likely to endanger him/herself;
2. Is endangering or is likely to endanger another person;
3. Is or is likely to jeopardize the management, operation or security of the correctional centre;
4. Must be confined separately for medical reasons;
5. Suffers from mental illness;
6. Is at risk of serious harm from other inmates due to certain factors (e.g. nature of offence, mental or emotional incapacity, known informer);
7. Is to be subject to an examination of mental condition for the purposes of the *Mental Health Act*; or
8. May have contraband hidden in his or her body.

1.22.4. Types of separate confinement

There are three types of separate confinement:

1. Short term—up to 72 hours;

2. Longer term—up to 15 days, which may be renewed following a detailed review of circumstances; and
3. Voluntary—indefinitely by mutual agreement between the inmate and the warden or designate.

1.22.5. Separate confinement—short term

1. When the warden or designate has determined in accordance with section 17 of the *Correction Act Regulation* that an inmate is to be confined short term, the inmate must be released from that confinement within 72 hours, unless some or all of the circumstances justifying separate confinement continue to exist.
2. The correctional supervisor or designate makes a notation in the CORNET Client Log that details reasons for confinement and precautions involved staff should take in the supervision of the inmate. This information is also conveyed verbally to staff at the time of confinement.

1.22.6. Limitation

1. Inmates placed in separate confinement retain the rights and privileges of inmates in the general population identified in section 2(1) of the *Correction Act Regulation*.
2. One or more privileges and access to specified cell effects and canteen items may be withdrawn due to limitations of the area where the inmate is kept, operational requirements of the centre, or the protection of inmates or staff. Privileges and access to specified articles are not withdrawn for punitive reasons.
3. Reasons for withdrawal of privileges or specified articles are documented in the CORNET Client Log.
4. Refer to section 2(2) of the *Correction Act Regulation*.

1.22.7. Notification

1. Within 24 hours, an inmate subject to short term separate confinement must be provided written reasons for confinement.
2. Within 24 hours of making a decision with respect to placement of an inmate in short term separate confinement, except in an emergency, the warden or designate ensures that the inmate is provided written notice of the decision and reasons.
3. The Separate Confinement Notification form is used for this purpose, with a copy placed in the inmate's record.

1.22.8. Separate confinement—longer term

1. Authority for longer-term separate confinement is found in section 18 of the *Correction Act Regulation*.

2. When an inmate continues to meet the circumstances justifying separate confinement beyond 72 hours, he or she may continue to be confined by the warden or designate for an additional 15 days. This period may be extended on review in accordance with section 18(1) of the *Correction Act Regulation*.
3. Within 24 hours, the inmate must be given written reasons for confinement. The length of the confinement must also be provided with reasons for the length of the confinement.

1.22.9. Review of decision

1. The inmate is provided an opportunity to make written submissions and to have the decision reviewed.
2. The warden or designate renders a decision, after considering submissions made by the inmate, and provides reasons in writing to the inmate for the decision.
3. In addition to an initial review requested by the inmate, the warden or designate meets with the inmate at least once every 15 days. At this time, the decision to keep the inmate in separate confinement is reviewed to determine whether separate confinement status must continue. Written reasons must be given to the inmate on each occasion that the person in charge confirms, varies or rescinds the decision. Refer to section 18(5) of the *Correction Act Regulation*.
4. The inmate is provided the opportunity to make submissions regarding separate confinement at least once every 15 days. These submissions are reviewed by the warden or designate.
5. Inmate submissions should be recorded in the running record along with any other evidence or considerations relevant to the decision.
6. Principles of procedural fairness apply to separate custody reviews. This includes the inmate's:
 - Right to know the case against him/ her;
 - Right to respond to the case against him/ her; and
 - Reasons for the decision to keep the inmate on separate confinement status. Reasons for separate confinement placement are recorded on file.
7. A detailed record of the inmate's behaviour while on separate confinement status is maintained.
8. The following reviews are conducted after every 30-day period that an inmate is on separate confinement status:
 - The deputy warden reviews the decision to confine separately; and
 - A mental health professional reviews the impact of separate confinement.

9. The results of the review to continue to confine separately are provided to the inmate in writing and documented in the CORNET Client Log.
10. The results of the review to determine the impact of separate confinement are considered in consultation with the deputy warden.
11. The warden is notified in writing of the inmate's current overall status at minimum every 60 days.

1.22.10. Separate confinement—voluntary

1. Authority for voluntary separate confinement is found in section 19 of the *Correction Act Regulation*.
2. If the warden or designate and an inmate agree that the inmate may be at risk of serious harm in general population, then the inmate may be separately confined. Such an agreement must be confirmed in writing.
3. At any time, the inmate may request in writing a review of his/her separate confinement status.
4. The warden or designate meets with the inmate at least once every 30 days to determine if voluntary separate confinement status will continue. The decision is confirmed in writing.

1.22.11. Right to terminate

Despite the provisions of sections 17, 18 and 19 of the *Correction Act Regulation*, the warden or designate may at any time terminate the separate confinement of an inmate.

1.23.
(deleted: Jun-08)

2. Emergency Situations

2.1. Contingency Planning (revised: Feb-10)

2.1.1. Contingency plans

Correctional centres have written plans detailing responses and assigning responsibilities for responding to the following emergencies:

1. Riots and major disturbance. Statutory provisions governing use of force in the suppression of riots are found in sections 32, 33, 63, 64, 65, 66, 67, 68 and 69 of the [Criminal Code](#).
2. Hostage taking.
3. Escape.
4. Fire.
5. Bomb threat.
6. Protests, such as inmate sit-down, food strike, work strike, program strike.
7. Natural disaster, including earthquake, storm, flood and forest fire.
8. Environmental spills and disasters.
9. Major electrical, gas, fuel and water supply interruption threatening the security or operation of the centre.
10. Major medical emergency, including suicide and attempted suicide.
11. Significant labour interruption.
12. Major food and staple supply interruption.

2.1.2. Contingency plans review

Wardens review and update correctional centre contingency plans on an annual basis or more frequently when needed.

2.1.3. Methods

Methods to resolve emergencies are directed toward protection of:

- Life;
- Public safety;

- Staff safety;
- Inmate safety; and
- Property.

2.1.4. Command and control issues

The plan:

1. Determines levels (who) and degree (what) of response authority.
2. Identifies control responsibilities.
3. Establishes a command centre, when necessary.
4. Establishes communication capabilities and back-ups.

2.1.5. Pager alarm procedures

Each centre equipped with personal alarm transmitters develops detailed pager alarm procedures

2.1.6. Response strategy for emergencies

Response strategies include provisions to:

1. Ensure integrity of the perimeter.
2. Contain crisis to the minimum area possible within the institution.
3. Evacuate inmates and staff to a safe and secure location.
4. Verify that staff and inmates are accounted for and safe.
5. Notify officials within the Corrections Branch and required staff.
6. Assemble essential local and ministry resources.
7. Notify and seek assistance of police, fire, Provincial Emergency Program, ambulance, physicians and nursing staff.
8. Maintain routine functions of the centre.
9. Develop procedures for charging individuals who commit criminal acts.
10. Appoint a recorder of events.

11. Document events through audio, video and photographic means.
two audio/video recorders are deployed through separate entry points.
12. Retrieve and preserve evidence for examination, investigation and prosecution.
13. Control information release to the media.
14. Take post-emergency measures to care for inmates.
15. Take post-emergency measures to care for staff, including:
 - Critical incident debriefing;
 - Observation and support; and
 - Referral for expert assistance.

2.1.7. Initial reaction and notification

The plan identifies:

1. Individuals notified in an emergency.
2. Methods of notification.
3. Process for notifying on-duty staff of emergencies.
4. Detailed response requirements for specified staff such as:
 - First staff on scene;
 - Emergency responders;
 - Secondary responders; and
 - Nursing staff.
5. Instructions to staff on procedures to follow when first encountering a medical emergency.
6. Control responsibilities.
7. Process for notifying off-site staff and call-in procedures.
8. Call-in protocols for on-call manager.

2.1.8. Command centre operations

The command centre is a secure area. Routine functions of the centre are
It contains at a minimum:

1. Telephone directory listing numbers for:

- Management on call;
- Tactical team;
- Critical Incident Response Team (CIRT) co-ordinator;
- Employees;
- Police;
- Local fire protection agency;
- Ambulance;
- Local hospital emergency;
- Emergency equipment sources;
- Provincial Emergency Program;
- Armed forces; and
- Other crisis related resources.

2. Standby list including:

- Maintenance personnel familiar with shut-offs and switches for utilities;
- Electricians;
- Plumbers;
- Medical staff;
- Building Security and Control System (BSCS) specialists;
- Personal Alarm Transmitter (PAT) specialists;
- Locksmiths;
- Heating, Ventilation and Air Conditioning (HVAC) specialist;
- Food services contractor;

- Public information/ media contact; and
 - Representatives of other agencies.
3. Facility plans, diagrams and layout.
 4. Written copies of emergency plans.
 5. Telephones, including cell phone capability, radios and computers.
 6. Telephone monitoring and recording capacity, when resources permit.

2.1.9. Resource assembly, staff deployment and post assignments

Correctional centre emergency plans provide for the assembly of resources in a co-ordinated manner by:

1. Identifying essential and non-essential posts.
2. Identifying an area for staff to assemble, be briefed and deployed when they arrive on site.
3. Making provisions for briefing outside personnel.
4. Creating a relief schedule if the disturbance is projected to exceed normal shift duration.

2.1.10. Accounting for staff and inmates

At a minimum, correctional centre emergency plans outline the following requirements:

1. An inmate count is taken as soon as possible after initial assessment of the emergency.
2. An accounting and identification of inmates involved, not involved and unaccounted for, is completed in each emergency covered in section 2.1.1, # 1—7.
3. Inmates in secure centres are returned _____ and locked down
4. _____
5. Staff, contractor and visitor records are reviewed to determine who is on site and where.
6. Establish a process to identify and report missing staff to the command centre.

2.1.11. Physical plant and utilities

The plan contains provisions to ensure that:

1. A list of locations of utilities, switches and mains _____ is maintained.

2. Utility controls are secure .
- 3.
- 4.
5. Back-up generators are regularly maintained and maintenance is logged.
- 6.

2.1.12. Emergency and tactical equipment

The plan contains provisions to ensure that:

A list is established, maintained and available to key personnel including the officer in charge. It sets out:

- A list of available emergency equipment.
- Location of emergency equipment; and
- Names of personnel and posts responsible for collection, storage, issue and retrieval of equipment.

2.1.13. Notification requirements

1. As soon as possible during an occurrence listed in section 2.1.1, the warden or designate notifies the provincial director, Adult Custody Division. Refer to section 2.13.1.
2. The provincial director, Adult Custody Division, is briefed in detail about the emergency and measures to achieve control and resolution. Refer to section 2.13.1.
3. The assistant deputy minister, Corrections Branch, designate, or Corrections Branch headquarters on-call manager (after hours), and director, Programs and Strategic Services are briefed.
4. When appropriate, the warden or designate consults or summons personnel listed in #1 and #2 in section 2.1.8.

2.1.14. Media relations

The plan contains provisions to ensure that:

1. Individuals who are authorized to have contact with the media are identified.
2. Only authorized individuals disseminate official comments.

3. No news releases are made to the media without authority from the provincial director, Adult Custody Division.
4. Employees are advised to refer media requests to designated spokespersons.
5. Consultation with the director, Programs and Strategic Services, Corrections Branch headquarters, is maintained during a major incident, which is likely to attract media interest.
6. Media who contact the centre is established.
7. Public information efforts are co-ordinated with other agencies that respond to critical incidents.
8. During incidents of high public and media interest, the Corrections Branch gives consideration to initiating media briefings.
9. A consistent approach is taken to media attending the site.
10. Locations where media can attend are pre-established.

2.1.15. Post-incident information gathering and reporting requirements

The plan establishes procedures to ensure that:

1. Operational debriefing of personnel takes place as soon as possible after the emergency.
2. Methods of retaining and compiling information are established, including video recordings, photographs, logs, memos and notes.
3. A format for incident/ emergency reports is established.
4. Inmates involved as perpetrators and participants in the incident are identified and interviewed.
5. Inmates involved as victims and non-combatants are identified and interviewed.
6. The following individuals submit reports following an emergency or at the end of their shift if the emergency is ongoing:
 - Shift supervisors;
 - Employees directly involved in and witnessing the incident;
 - Staff in control; and
 - Other staff who had pertinent areas of responsibility in the incident.
7. An officer is assigned to keep a chronological log of a protracted emergency.
8. An officer is assigned to collect video and audio recordings, photographs and complete written records of the emergency and subsequent actions.

2.1.16. Post-emergency responsibilities

The plan establishes procedures to ensure that:

1. All posts are notified that an emergency has ended.
2. A formal count of inmates takes place once an emergency has ended.
3. Staff and contractors are accounted for.
4. Normal programs and services resume as soon as it is safe.
5. Employees directly involved in an incident are debriefed.
6. A critical incident debriefing is held as soon as possible after an emergency.
7. Post-incident stress and trauma are identified.
8. Post-event psychological trauma is addressed through professional referral.
9. Correctional centres develop procedures for debriefing inmates directly involved in an incident.
10. A debriefing takes place with partner agencies (e.g. police, fire, paramedics) directly involved in the incident when necessary.

2.1.17. Training

The plan contains provisions to ensure that:

1. Training is in place to review the emergency plan.
2. Training includes:
 - Instruction on the plan;
 - Critical response requirements for each type of emergency;
 - Simulation exercises; and
 - Regular review of all plans (on screen) by supervisory and management staff.

2.1.18. Investigation and reporting

Refer to section 2.13, Critical Incidents Notification Requirements, in this manual, and section 2.3, Critical Incidents Investigation and Reporting, in the *Management Services Policy Manual*.

2.2. *Emergency Response Codes*

2.2.1. Emergency response codes

To ensure an effective and efficient response to emergencies, correctional centres use the following emergency response codes:

- YELLOW—immediate staff assistance required;
- BLUE—medical emergency; and
- RED—escape or prison breach.

2.2.2. Local policy

Each correctional centre establishes local procedures to ensure a timely response to codes. The procedures address:

- Reporting the emergency;
- Announcing the emergency;
- Designating responders;
- Maintaining adequate living unit coverage; and
- Instructing how situations are stood down.

2.3. Tactical Operations

2.3.1. Tactical squads

1. Directors of medium and secure correctional centres ensure that there are provisions for:
 - Selecting staff for duty on tactical teams;
 - Training staff in the prevention and control of institutional disturbances; and
 - Developing and reviewing emergency plans to gain assistance of other agencies.
2. Tactical teams are equipped with protective clothing, devices and weapons described in appendix to section 1.5.

2.3.2. Tactical team guidelines

1. Team members are experienced correctional officers. They are:
 - Volunteers for team membership;
 - Screened for personal suitability;
 - Fully trained;
 - Knowledgeable of their role in emergency plans of the institution;
 - Completely familiar with use of force policy, restraint devices and weapons policy; and
 - Qualified in use of , spray irritants, chemical agents and restraint devices.
2. Training is completed according to the approved Corrections Branch training syllabus and plan.
3. A record of training and performance of each team member is maintained.

2.3.3. Tactical team equipment

1. Tactical teams are equipped for personal protection and to perform the assigned task.
2. Each member of the tactical team is provided with equipment from the Corrections Branch approved list.

2.3.4. Deployment of tactical squads

1. Tactical squads are deployed on the authority of a warden.
2. Once activated, the tactical team is under the authority of the team commander, who reports to the warden until the situation is resolved.
3. The warden or designate notifies the provincial director, Adult Custody Division, and local police (when necessary), as soon as possible, describing the disturbance and measures anticipated for control and resolution. Refer to section 2.1, Contingency Plans and section 2.13, Critical Incidents Notification Requirements.

2.4. Cell Entry and Extractions

2.4.1. Purpose of policy

This policy:

1. Establishes a standardized approach for removal of inmates exhibiting self-harm, or who are violent or potentially violent, from cells and other areas.
2. Maximizes efficient process and minimizes risk of injury to inmates and staff.

2.4.2. Establishment of cell entry and extraction teams

The warden of each medium and secure centre develops local policy and procedures to create cell entry and extraction teams (CEE teams).

2.4.3. Authority

CEE teams are deployed under authority of the warden or designate.

2.4.4. Deployment

1. CEE teams are deployed when less forceful means of achieving compliance are unsuccessful or impractical.
2. Deployment occurs when the inmate might inflict self-harm, harm others, or significantly disrupt operations.

2.4.5. Warning

Prior to deploying the CEE team, the warden or designate informs the inmate that additional non-compliance will result in deployment of a cell entry team.

2.4.6. Team composition

1. CEE team members are trained to carry out assigned duties.
2. The minimum number of members on a team is
 - One team leader;
 - One video recorder operator (a recorder/reporter is optional); and

2.4.7. Equipment

1. CEE team members are issued the following equipment:

- Video camera equipped with timer and charged batteries.
2. This equipment is worn when conducting cell entry and extraction procedures.
3. Tactical and restraint equipment is deployed as required.

2.4.8. Briefing

Prior to deployment, the team leader ensures that each member is:

1. Properly equipped.
2. Informed regarding the situation and inmate background.
3. Briefed on tactics to be employed.

2.4.9. Area preparation

The unit or area to be entered is locked down or cleared of inmates who are not involved.

2.4.10. Preparation of destination

The destination and route is determined, cleared and secured prior to deployment.

2.4.11. Procedure

1. Actions by the CEE team—beginning with the briefing and continuing until the inmate is secured at the new destination—are videotaped with the time counter operating.
2. The CEE team leader directs the team according to procedures established in training.
3. The inmate is instructed by the team leader to:
 - Cease non-compliant behaviour;

4. The team leader advises the inmate that failure to comply with CEE team instructions will result in use of force.
5. The CEE team removes the inmate from the cell or area, according to procedures established in training.

2.4.12. Secure escort

To ensure compliance during escort after the inmate is removed from the cell/ area, the inmate is
A member walks behind, facing the inmate,

2.4.13. Removal of restraints

1. Once the inmate is placed in the new destination, removal of restraints is at the discretion of the shift supervisor.
2. An additional search of the inmate is conducted and the inmate's clothing is replaced.

2.4.14. Chemical irritant

When chemical irritant has been used, the inmate is decontaminated, according to section 1.3.19.

2.4.15. Reports

1. CEE team members prepare a report about their role and observations when the CEE team was deployed.
2. The CEE team leader prepares a summary report.
3. Written reports, video recordings of the incident, photographs and notes prepared by a recorder are submitted to the warden.
4. Other reports (e.g. use of force or chemical agent, inmate or staff injuries) are submitted, according to Corrections Branch policies.
5. The CEE team is debriefed, and the Critical Incident Response Team (CIRT) is considered when necessary.
6. The warden forwards a copy of reports, photographs and video recordings of the cell entry to the provincial director, Adult Custody Division.

2.5. Escapes, Prison Breaches and Inadvertent Releases (revised: Oct-10)

2.5.1. Definition

1. Escape is defined in the *Criminal Code*, section 145(1).
2. Prison breach is defined in the *Criminal Code*, section 144.
3. Inadvertent release is defined as release of an offender when an active warrant or detainer is in effect.

2.5.2. Escape and prison breach response plan

1. Every correctional centre has escape and prison breach plans, according to section 2.1.
2. Plans vary depending on the security level and location of the centre, and address elements in section 2.5.4.

2.5.3. Inadvertent releases

Upon determination of an inadvertent release, notification procedures in sections 2.5.4 and 2.5.6 apply.

2.5.4. Contents of escape and prison breach response plan

A correctional centre:

1. Designates an officer, or post (search master), responsible for co-ordinating procedures.
2. Designates an officer, or post, responsible for immediately notifying the local law enforcement agency about the escape or breach.
3. Has procedures for calling in off-duty staff when necessary.
4. Designate posts or stakeout positions to be filled. Officers at assigned posts may only be removed by the search master. Procedures are developed to provide relief for officers filling posts for more than two hours.
5. Provides instructions for each post or stakeout position, giving a map of the area, residents, location of nearest phone, and other information that assists the officer.
6. Ensures that a records or other designated officer:
 - Prepares and forwards escape or breach notices to law enforcement agencies, including information on:
 - Remainder of sentence to be served;

- Self-harm behaviour by the inmate in custody;
 - Concerns about potential or previous victims; and
 - Potential risk to the community (risk classification).
- Faxes a copy of the escape notice to the provincial director, Adult Custody Division, and the assistant deputy minister, Corrections Branch;
 - Provides required notice for K file cases;
 - Contacts the Provincial Emergency Program Co-ordination Centre to ensure a Protection Order Registry check is conducted; and
 - Updates CORNET.
7. Designates an officer to inform the local law enforcement agency, and other agencies informed of the escape, when the centre's personnel apprehend an escapee.
 8. Ensures that approval is obtained from the local law enforcement agency, if roadblocks are necessary.

2.5.5. Duration of search

The duration of search operations depends on whether:

- Immediate pursuit is in progress;
- Sightings of the escapee have been reported; and
- Escapee is considered a danger to local residents.

2.5.6. Notification of escape, prison breach or inadvertent release

1. The warden or designate notifies the provincial director, Adult Custody Division, on the next business day of offenders who fail to return from a temporary absence. Notification is by telephone.
2. When there is an escape, prison breach or inadvertent release, the warden or designate immediately contacts the provincial director, Adult Custody Division. Critical incident reporting and notification applies (refer to section 2.13).

2.5.7. Director's inquiry

The warden submits a report to the provincial director, Adult Custody Division, regarding an escape, prison breach or inadvertent release. The report identifies:

1. Whether the escape occurred while under escort from a secure, medium or open correctional centre.
2. Circumstances of incident.
3. Apparent deviation from established policy and procedures.
4. Indication of negligence.
5. Use of violence.
6. Theft of government property (vehicles/ boats).

2.6. Hostage Taking

2.6.1. Introduction

During a hostage taking,

2.6.2. Hostage taking response plan

2.6.3.

Refer to section 2.9.

The warden or designate:

2.6.4.

Refer to section 2.9.

Corrections Branch personnel provide resources and decision-making capability to:

2.6.5. Role of warden

1. The warden or designate is responsible for management of the correctional centre and the crisis management team.

2. The warden, in determining resources required to manage the circumstances, may make direct contact and seek support from any individual or area deemed appropriate.

2.6.6. Notification of hostage taking

Refer to section 2.13.

2.7. Suppression of Riot

2.7.1. Authority

Statutory provisions governing the suppression of riots are in sections 32, 33, and 64 to 69 of the [*Criminal Code*](#).

2.7.2. Riot control plan

A riot control plan is established for each centre. It addresses elements in this section and section 2.9 of this Adult Custody Policy.

2.7.3. Objectives

If a riot occurs or may occur, safety is the primary concern. Objectives are:

- Protect life;
- Protect public safety;
- Protect staff safety;
- Protect inmate safety;
- Prevent escape;
- Protect property;
- Allow inmates to surrender peacefully; and
- Take riot participants into custody.

2.7.4. Role functions

1. The warden establishes a crisis management team plan that defines roles and responsibilities of team members.
2. In the absence of the warden, the shift supervisor has authority to enact decisions related to the crisis and regular institutional functions until a senior officer assumes command. Upon verification of a crisis, the shift supervisor, in consultation with the on-call manager, is responsible for mobilizing the response.
3. Once on site, the warden assumes responsibility for managing the crisis.

2.7.5. Notification of riot

Refer to section 2.13.

2.8. Bombs and Bio-terrorist Threats

2.8.1. General

[REDACTED]

2.8.2.

[REDACTED]

2.8.3.

[REDACTED]

**2.8.4. —written notes or letters, and confidential information
from an inmate**

2.8.5.

2.8.6. Notification

Refer to section 2.13.

2.9. Police and Canadian Forces Assistance

2.9.1. General

1. In all but exceptional circumstances, correctional centres use their own resources to prevent escalation of breaches of security, terminate breaches, and restore order.
2. When a warden determines that an emergency has or might escalate beyond the control of institutional staff, police assistance is requested.
3. When a disturbance is beyond the control of corrections and police, Canadian Armed Forces assistance is requested.
4. At no time does the warden relinquish responsibility for security of the correctional centre. The police and/ or Canadian Forces may assume control over aspects of the centre's security, in keeping with their statutory mandates.

2.9.2. Police assistance—general

1. Correctional centres establish policy and protocols for requesting assistance from the police or Canadian Armed Forces.
2. Police support protocols are discussed with local detachments/ departments and established in letters of understanding.
3. Police _____ and take action only when the Corrections Branch requests it.
4. Police are responsible, in consultation with corrections officials, for following through on criminal matters resulting from breaches of security.
5. When police assistance is required to provide coverage in job actions by correctional staff, the request is made through the assistant deputy minister, Corrections Branch by the Office of the Minister of Justice and Attorney General, to RCMP or local municipal forces.
6. Police are deployed only to regain control, maintain security and prevent breaches of security. They do not assume administrative or program duties.

2.9.3. Role functions—police and corrections

1. Correctional centres establish protocols and procedures, in consultation with local police departments. These procedures describe the roles and authority of police and correctional personnel when police provide assistance.
2. The warden takes the following actions in:
 - Major disturbances—

- Hostage taking—

3. Senior institutional member:

-

4. Institutional tactical team:

-

5. Shift supervisor:

-

6. Police field commander:

- Major disturbances—

-

7.

8. Duty detective:

-

news releases (hostage taking incidents only). rview statements, and preparing

9. Duty police member:

-

10. Police tactical squad:

-

2.9.4. Canadian Forces assistance—general

1. Canadian Forces assistance is provided under the *National Defence Act*, part XI, Aid of the Civil Power.
2. Canadian Forces assistance may be requested
3. The minister of justice, through the assistant deputy minister, may make the request to the chief of the defence staff at the Canadian Forces headquarters in Ottawa, with simultaneous notice to the Pacific Region commander in Victoria. The composition of the force employed in aid of the civil power is at the discretion of the Chief of the Defence Staff.
4. When the police or Canadian Forces correctional staff co-operate to achieve this goal.

2.10. Protection of Evidence

2.10.1. Critical incident

Critical incidents are described in section 2.13.2, and include arson, wilful damage, industrial and vehicle accidents resulting in significant damage or injury.

2.10.2. Responsibility

1. The initial responsibilities of the first officer to attend the scene of a critical incident are described in section 2.1.
2. Once immediate safety and security concerns are addressed, protection of evidence requires that the scene be maintained as it was at the conclusion of the critical incident. This is done by:
 - Preventing individuals from entering the site;
 - Preventing individuals from moving, touching or altering site conditions;
 - Creating a record of the scene through note-taking, photography, video recording; and
 - Obtaining and sealing recordings of door calls, and digital and video recordings from control relevant to the incident.

2.10.3. Appointment of scribe

1. As soon as a critical incident occurs, the warden or designate appoints an officer to transcribe.
2. The transcribing officer records events related to the critical incident.
3. The prepared record may include a written record and/ or videotape.

2.10.4. Evidence

1. Steps are taken to protect evidence, such as:

- Photographs
2. Protection of evidence may require an officer to monitor the scene, and control and monitor access.
 3. When evidence is seized or held by officers, it is important to take detailed notes and minimize handling.
 4. Evidence bags are used, sealed and signed.

2.10.5. Written reports

1. Correctional officers who attend critical incidents submit written reports.
2. Reports are forwarded to the warden, who distributes them as follows:
 - Police agency—at the discretion of the warden – in instances of escape, inmate death or suicide, wilful damage, assault and arson;
 - Director, Investigation and Standards Office (ISO) —when the director, ISO, investigates assaults, inmate death, arson, wilful damage and escape;
 - Workers' Compensation Board—if staff are injured in an industrial or vehicle accident;
 - Ministry health and safety officer—if serious injury or fatality; and
 - Corrections Branch counsel—if fatality or a civil action has commenced against the Branch.

2.11. Rights on Arrest or Detention

2.11.1. Authority

Under section 10 of the *Canadian Charter of Rights and Freedoms* in the *Constitution Act* (1982), *Everyone has the right on arrest or detention:*

1. To be informed promptly of the reason therefore;
2. To retain and instruct counsel without delay and to be informed of that right; and
3. To have the validity of the detention determined by way of habeas corpus and to be released if the detention is not lawful, subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.

2.11.2. Applicability of section 10 of the *Charter*

Officers are required to inform individuals of their rights on arrest or detention in the following circumstances:

1. Return to custody of inmates who are escaping from a correctional centre or escort.
2. Return to custody of inmates on temporary absence who have breached one or more conditions.
3. An individual believed to be committing a criminal offence in a correctional centre, or aiding the escape of an inmate from a correctional centre or escort.

2.11.3. Information to be given

1. Upon the arrest of an inmate or other person in the above or similar circumstances, the officer informs the inmate or other person of the:
 - Reason for the arrest (e.g. “I am arresting you for escaping lawful custody on *(date of escape)* from *(name of correctional centre)*”; and
 - Right to retain and instruct counsel without delay.
2. Officers are issued cards indicating standard wording for rights that are read to the inmate or other person upon arrest.

2.11.4. Opportunity to contact lawyer

1. Officers ensure that the inmate, or other person arrested, has opportunity to contact a lawyer as early as possible after the arrest, if the inmate or other person wishes to exercise that right.

2. Each warden ensures that a list of names and phone numbers of Legal Aid duty lawyers is available. This list assists staff to comply with requests by arrested individuals to contact duty counsel.

2.11.5. Voluntary statements received from inmates

1. A correctional officer has authority to determine whether a statement is obtained voluntarily from an accused, and whether it is admissible in evidence.
2. When an inmate volunteers or discloses information concerning involvement in a criminal offence, the correctional officer reads the official warning to the inmate at the earliest stage of the conversation (refer to section 2.11.6).
3. The correctional officer records personal notes during or immediately following the conversation.

2.11.6. Sample card

FRONT	BACK
<p style="text-align: center;">CHARTER OF RIGHTS</p> <p>SEC. 10 (a) I am arresting you for:</p> <p style="text-align: center;">.....</p> <p style="text-align: center;"><i>(state reason for arrest and provide reasonable date, place, offence, etc.)</i></p> <p>SEC. 10 (b) It is my duty to inform you that you have the right to retain and instruct Counsel without delay.</p> <p style="padding-left: 40px;">You may call any lawyer you want.</p> <p style="padding-left: 40px;">A Legal Aid duty lawyer is available to provide legal advice to you without charge and can explain the Legal Aid plan to you.</p> <p style="text-align: center;">(SEE BACK)</p>	<p>Section 10 (b) (Cont.)</p> <p style="text-align: center;">If you wish to contact a Legal Aid duty lawyer, I can provide you with a telephone number.</p> <p style="text-align: center;">Do you want to call a lawyer?</p> <p style="text-align: center;">OFFICIAL WARNING</p> <p style="text-align: center;">“YOU ARE NOT OBLIGED TO SAY ANYTHING, BUT ANYTHING YOU DO SAY MAY BE GIVEN IN EVIDENCE.”</p> <p>Reference: Operations Manual A2</p>

2.11.7. Police

1. When correctional centre staff arrest an inmate or other person, the police are immediately notified by a supervisor and requested to attend.
2. The correctional officer informs police of the reason for the arrest, and provides information or reports requested by the police.

2.12. External Charges

2.12.1. Introduction

1. Breaches of conduct within correctional centres are generally addressed by internal disciplinary procedures. However, local police involvement may be required to seek prosecution, in addition to proceeding under the *Correction Act Regulation*.
2. The following situations are appropriate for police notification/ intervention:
 - Escape, attempt escape, unlawfully at large, or prison breach;
 - Assaults resulting in bodily harm, aggravated assault;
 - Sexual assaults;
 - Significant damage to or theft of property;
 - Use or possession of a weapon;
 - Possession of drugs;
 - Uttering threats;
 - Evidence is obtained that criminal activities or conspiracies are being carried out by inmates in custody affecting the community; or
 - Police have an ongoing interest in the inmate's criminal activities.

2.12.2. Warden's discretion

1. The warden or designate determines in consultation with police and/ or Crown counsel when external charges are filed.
2. While staff may independently swear an information at any time, the warden or designate is informed prior to laying charges.

2.12.3. Police investigation

When the police conduct an investigation, the decision to proceed with external charges is the responsibility of the investigating police agency, in consultation with Crown counsel and the warden.

2.12.4. Staff-laid charges

Staff may swear an information at any time. Staff-laid charges should only occur when:

1. The Corrections Branch decides not to proceed with external charges.
2. The alleged offence against staff is:
 - Assault resulting in personal injury;
 - Sexual assault;
 - Damage to or theft of personal property;
 - Use of a weapon against the person; and
 - Uttering threats.

2.12.5. Inmate-laid charges

1. When not satisfied with the Corrections Branch response to an incident or event affecting an inmate, an inmate may proceed to independently lay charges.
2. Police are informed when an inmate requests police attendance.

2.12.6. Protection of evidence

For procedure on how to protect evidence, refer to section 2.10.

2.13. Critical Incidents Notification Requirements (revised: Feb-11)

2.13.1. Immediate telephone notification of provincial director

1. The warden or designate phones the provincial director, Adult Custody Division, as soon as possible for incidents outlined in section 2.13.2, and provides a brief written summary within two hours. When the provincial director, Adult Custody Division, cannot be contacted, the Corrections Branch headquarters on-call manager is contacted.
2. The provincial director, Adult Custody Division, or designate is responsible for notifying the assistant deputy minister, Corrections Branch, for incidents outlined in section 2.13.2.
3. Following notification and the end of the incident, involved staff prepare written reports prior to going off-shift. Refer to section 2.3, Critical Incidents Investigation and Reporting, in the [Management Services Policy Manual](#).

2.13.2. Incidents requiring notification

Incidents that require staff to notify the provincial director, Adult Custody Division include:

1. Riot/ disturbance.
2. Hostage taking.
3. Death of an inmate. Refer to section 2.14.
4. Death of an on-duty staff member. In addition to the provincial director, Adult Custody Division, staff deaths are reported immediately to the:
 - Workers' Compensation Board, Accident Prevention Branch;
 - B.C. Public Service Agency; and
 - B.C.G.E.U. area office.
5. Prison breach—according to section 144 of the [Criminal Code](#).
6. Inadvertent hold.
7. Inadvertent release.
8. Escape.
9. Fires—when there is significant destruction of personal or government property or injury requiring medical attention.
10. Bomb and bio-terrorist threats.
11. Serious offences committed by individuals on temporary absence.

12. Use of force resulting in serious injury to inmates/ staff or both.
13. Serious assault—committed by anyone on Corrections Branch property and resulting in significant bodily harm.
14. A newsworthy event or incident that the warden or designate believes is important for the assistant deputy minister, deputy minister or minister to know.

2.13.3. Notification by next working day

1. The following incidents are reported by the warden or designate to the provincial director, Adult Custody Division or designate, no later than commencement of the next working day:
 - Serious staff or inmate injuries; and
 - Escapes that are not reported, according to section 2.13.1.
2. Written reports follow, as outlined in section 2.13.1.

2.13.4. Job action or work stoppage

Immediate notification of job action or work stoppage by staff is given to the provincial director, Adult Custody Division or designate.

2.13.5. Copies of reports

Copies of reports are provided to the:

- Provincial director, Adult Custody Division;
- Assistant deputy minister, Corrections Branch, when requested;
- Director, Investigation and Standards Office, when requested; and
- Victim Safety Unit by email to _____ for escape and inadvertent release notifications.

2.13.6. Notice to the director, Investigation and Standards Office

For incidents outlined in section 2.13.2, notice to the director, Investigation and Standards Office, is made at the direction of the provincial director, Adult Custody Division.

2.13.7. Notice to supervising parole office

For incidents outlined in section 2.13.2, which directly involve an inmate being held on a parole suspension warrant, the supervising parole office must be notified within 24 hours.

2.14. Inmate Death/ Coroner's Inquest (revised: Feb-12)

2.14.1. Coroner's inquest—purpose

A coroner's inquest determines the cause of death and establishes a finding of fact, rather than fault.

2.14.2. Requirement to report to coroner

Section 9 of the *Coroners Act* reads, in part, as follows:

1. "A person shall immediately notify a coroner or a peace officer of the facts and circumstances relating to a death where he has reason to believe that a person has died... (1g) in a correctional centre, or penitentiary, or a police prison or lockup.
2. The person in charge of an institution must immediately give notice to the coroner of the death of a person who dies... (b) while the person is, whether or not on the premises or in actual custody,... (ii) committed to a correctional centre, penitentiary or police prison or lockup.
3. If a person dies while detained by or in the actual custody of a peace officer, the peace officer must immediately notify the coroner."

2.14.3. Coroner's inquest

Section 10 of the *Coroners Act* states that the coroner holds an inquest in cases reported under 9(1)(g) or (3).

2.14.4. Interference with body

Section 11 of the *Coroners Act* reads as follows:

- "A person who has reason to believe that a person died in any of the circumstances referred to in section 9 must not interfere with or alter the body or its condition in any way until the coroner so directs."

2.14.5. Presumption of death

1. Except in the most obvious situations, death is not presumed.
2. Life saving and resuscitation are employed immediately and continued until directed to cease, by medical personnel.
3. Attempts to resuscitate do not constitute interference, as described in section 2.14.4.

2.14.6. Protection of scene

1. Action is taken to protect the scene and preserve evidence for police investigation.
2. If death is pronounced (or certified) at the scene, the body is not removed until directed by the coroner.
3. The area is sealed off, photographs taken and security of evidence ensured. No one has access to the area without consent of the coroner.
4. If death is pronounced (or certified) at a hospital, the body remains there until the coroner directs removal. Attending correctional staff provide supervision until the body is released to the coroner. If the coroner chooses not to attend the scene, supervision ceases following notification of the death to the coroner and receipt from hospital staff of written confirmation of death.
5. Also refer to section 9.14, Suicide Response, and section 2.10, Protection of Evidence.

2.14.7. Notifications when inmate dies

1. When an inmate dies, the following individuals and authorities are notified:
 - Police;
 - Coroner;
 - Chaplain;
 - Next of kin, according to section 9.15.1; and
 - Provincial director, Adult Custody Division.
2. The provincial director, Adult Custody Division, or designate notifies the following individuals of the inmate's death:
 - Assistant deputy minister, Corrections Branch or designate;
 - Director, Programs and Strategic Services, Corrections Branch
 - Director, Health Services;
 - Director, Mental Health Services, Corrections Branch;
 - Corrections Branch counsel; and
 - Director, Investigation and Standards Office.

2.14.8. Critical incident review

A critical incident review is held following the death of an inmate. The director, Health Services, is consulted in the case of death by natural causes and advises whether a critical incident review is warranted. Refer to section 2.3 Critical Incidents—Investigation and Reporting of the *Management Services Policy Manual*.

2.14.9. Medical review (deleted on January 21, 2008)

2.14.10. Reports

1. Reports submitted about the death of an inmate are detailed and accurate.
2. Particular attention is paid to times and dates, names of witnesses, actions taken, identity of the person who last saw the deceased alive, and under what circumstances.

2.14.11. Photographs or video recordings

Photographs or video recordings include details including location, time, subject matter, and name of the photographer.

2.14.12. Documentation

Documents belonging to the deceased are seized and made available to the coroner.

2.14.13. Property

1. Property belonging to the deceased is seized for review by the coroner.
2. Once released by the coroner, property can be released to the estate of the deceased.

2.14.14. Staff receiving subpoenas

1. The coroner subpoenas staff who are required to provide evidence at the inquest, including staff directly involved as witnesses to the death of the inmate.
2. Staff who receive a subpoena immediately advise the warden.

2.14.15. Notification of Corrections Branch headquarters

1. Upon being informed that staff have received the coroner's subpoenas, the warden advises the provincial director, Adult Custody Division.
2. The assistant deputy minister, Corrections Branch, is advised by copies of the notification. These copies are forwarded to the following individuals, who are expected to be represented at the inquiry:
 - Director, Health Services; and

- Legal Services Branch.

2.14.16. Legal counsel

1. Corrections Branch legal counsel are advised of the time and date of coroner's inquests.
2. Corrections Branch legal counsel meet with staff prior to the inquest to brief staff on matters including procedures and evidence giving.

3. Admission and Discharge

3.1. *Sentence Administration (revised: Jul-11)*

3.1.1. Purpose of policy

1. This policy presents a comprehensive description and explanation of methods for implementing procedures that fall within the records office and includes both manual and electronic files.
2. This policy details procedures implemented as a result of legal rulings relating to sentence administration (i.e. interpretation and computation of sentences).

3.1.2. Duties of records supervisors

1. The records supervisor ensures that inmates are legally incarcerated and detained in custody.
2. The records supervisor verifies that:
 - Staff assigned to records have received Corrections Branch approved records officer training and are certified in all operational aspects of the records department;
 - Documents are entered correctly by qualified staff into CORNET;
 - Documents related to the admission, transfer, and release of inmates are properly maintained;
 - Any additional documents received are accurately entered into CORNET. These include documents that have a new court file number or have not been previously reviewed by records staff; and
 - All subsequent documentation received that may change a sentence calculation is reviewed and confirmed on the date of issue or by the next working day. This documentation includes— but is not limited to—the following:
 - Additional warrants and/or court orders;
 - Administrative decisions regarding loss of remission;
 - Administrative decisions regarding failure to earn remission;
 - Administrative decisions restoring forfeited remission; and
 - Other information affecting the calculation of sentence (escape, parole).

3.1.3. Additional procedures

1. The bail review report is forwarded to court when the time elapses according to section 3.19.1.
2. The records supervisor ensures that the following are completed as required:
 - Federal billings; and
 - Fine calculations.

3.1.4. Violent crime linkage analysis system (ViCLAS)

When a sex offender is admitted to a correctional centre to serve a custodial sentence, the ViCLAS section at the RCMP “E” Division headquarters is notified within one working day.

3.1.5. Long term offender dispositions/supervision orders

1. The administration of long term offender dispositions and supervision orders is the responsibility of Correctional Service of Canada (CSC) and Parole Board of Canada (PBC).
2. CSC and PBC are contacted when a long-term offender is admitted to a provincial correctional centre with a long-term offender disposition.
3. The CSC contact is:

s.16

4. The PBC contact is:

s.16

5. CSC and PBC are responsible for tracking the institutional status of the offender and initiating all processes necessary prior to commencement of the long-term supervision order.

3.2. Authority for Accepting Inmates (revised: Aug-12)

3.2.1. Holding documents

The warden ensures that no inmate is admitted into custody, unless at the time of admission, one of the following legal documents is produced:

1. Warrant for committal (detention order)—sections 493 and 515 of the *Criminal Code*; form 8.
2. Warrant remanding a prisoner or order for remand—sections 516 and 537 of the *Criminal Code*; form 19.
3. Enforcement order—section 672.93 of the *Criminal Code*.
4. Warrant for committal (detention order)—sections 672.29 and 672.46 of the *Criminal Code*.
5. Assessment order—section 672.13 of the *Criminal Code*; form 48.
6. Warrant of committal—sections 545, 550, 570, 672.57, 672.7(2), 708, 773, 806, 810, 810.1, 827 of the *Criminal Code*; forms 20, 21, 22, 23, 24, 25, 26, 27, 35, 36, 38, 49, 50.
7. Fine and in default warrant of committal—section 734.7 of the *Criminal Code*.
8. Parole Board of Canada—a warrant issued by a member of the Parole Board of Canada or a judge, suspending, revoking or forfeiting mandatory supervision, or parole.
9. Immigration hold—an order issued by an immigration officer directing a person be held in custody pending an inquiry into citizenship or deportation to the country of origin.
10. *Extradition Act*—a warrant issued by a judge of a Superior Court or a commissioner appointed under the *Extradition Act*, committing a fugitive to a prison.
11. Supreme Court, court of appeal—an order committing a person to a prison that is issued by:
 - Supreme Court judge;
 - Court of appeal; or
 - Supreme Court of Canada.
12. Out-of-province inmates attending court in B.C.—an order procuring attendance.
13. Appeal court order—An appeal court order has the same force as a warrant of committal. The appeal court order replaces the original warrant of committal. Sentences must be recalculated as a result of the appeal.
14. Detention under the *Emergencies Act*.
15. Warrant of committal—sections 14, 21, 22, 23 of the *Family Maintenance Enforcement Act*.

3.2.2. National parole suspension/ revocation from another province

1. Inmates serving a provincial sentence in every province (except Ontario and Quebec) apply for parole through the Parole Board of Canada.
2. When parole for an inmate from another province is suspended or revoked, the inmate is returned to the province where parole was originally granted.

3.2.3. Authority for accepting inmates—medical certificate

1. Under section 9 of the *Correction Act*, the warden is not required to accept a person into custody unless a qualified medical practitioner or nurse practitioner certifies:
 - The state of health of that person;
 - That the person is fit for transfer; and
 - That the person is free from any infectious or contagious disease.
2. A health care professional assesses each individual upon admission, and a medical file accompanies transferred inmates.

3.2.4. Ambiguous warrants

Crown counsel or the court registry are contacted immediately for clarification (i.e. by telephone) when a warrant of committal is received by a correctional centre prescribing a sentence that:

- Appears contrary to the statutes; or
- Fails to clarify the intent of the court in relation to other warrants held on an inmate.

3.2.5. Warrants naming a specific correctional centre

1. Although the courts may order an offender to be committed to a specific correctional centre, the Corrections Branch has authority to:
 - Receive inmates from any part of the province in any correctional centre; and
 - Transfer inmates confined in one correctional centre to another. (Refer to section 10 of the *Correction Act* and section 3 of the *Prisons and Reformatories Act*.)

2. When a warrant of committal ordering the accused into a specific correctional centre is received by a correctional centre other than the one named in the warrant, that centre admits and holds the inmate, pending an initial classification decision by a classification officer. The correctional centre admitting the inmate enters the necessary information on the inmate's transfer log, transferring the inmate from the correctional centre named in the warrant to the admitting correctional centre. Refer to section 4.9.
3. When a correctional centre receives a warrant for committal, warrant remanding a prisoner, order for remand, or a court order directing an offender who is awaiting trial into a specific correctional centre, the inmate is admitted to the receiving centre and the program analyst at Adult Custody Division headquarters is consulted.

3.3. Records Procedures (revised: May-12)

3.3.1. Provincial case file checks

1. Names of inmates admitted to correctional centres are searched through the CORNET client history to determine their:
 - Correctional service number (C.S. number); and
 - Custody status (i.e. AWOL, parole suspension, federal inmate). A qualified records officer conducts this search.
2. An inmate should only be on one correctional centre count.
3. When it is determined that the inmate is on another centre's count, that correctional centre is contacted to release the inmate from their count and follows file transfer procedures outlined in section 4.9.12.
4. The receiving centre updates the transfer log transferring the inmate to their centre.

3.3.2. CORNET client history not operational

1. If the CORNET client history is not operational, the records officer applies a C.S. number from the emergency list provided by Systems Services Unit.
2. The records officer contacts Systems Services and informs them of the C.S. number used and the inmate's name and birthdate.
3. Once CORNET is operational, Systems Services checks the inmate's name against the database and advises the records officer of the correct C.S. number.

3.3.3. Duplicate C.S. numbers

1. When a records officer determines that a C.S. number is a duplicate or an inmate has more than one assigned C.S. number, the records supervisor is immediately advised.
2. The records supervisor reports the information regarding the duplicate C.S. number to the System Services Unit.

3.3.4. Hospital coverage

When an inmate is admitted to a hospital as an inpatient, the correctional centre does not assume legal custodial responsibility of the inmate until it receives legal documentation.

3.3.5. Immigration and refugee board query

1. Upon admission to a correctional centre, the records officer determines the citizenship of the inmate.
2. If the birthplace is not Canada, and the inmate does not have Canadian citizenship, the records officer contacts the nearest immigration office requesting verification of citizenship.
3. A copy of the warrant is sent to the immigration office with a covering letter outlining the term of imprisonment, earliest release date, and the date and place of birth.
4. If the inmate can be deported, immigration issues a deportation order under the *Immigration and Refugee Protection Act*. Once a deportation order is received, it is entered in CORNET.
5. Centres receiving inmates who were initially admitted to another centre verify that this procedure has been completed.

3.3.6. Canadian Police Information Centre (CPIC) checks

1. The memorandum of understanding (MOU) between the Province of British Columbia and Canadian Police Information Centre (CPIC) permits authorized Corrections Branch users to conduct query-only CPIC checks on inmates.
2. The warden or designate ensures CPIC queries are completed by authorized CPIC users who have:
 - Completed a police record check with the vulnerable sector by submitting fingerprints to the Information and Identification Services Directorate of the RCMP;
 - Received CPIC training delivered by a qualified correctional centre CPIC trainer who has completed the CPIC query/narrative online course;
 - Reviewed and are familiar with the CPIC MOU, and all relevant CPIC policies and procedures; and
 - Reviewed and signed the *acknowledgement of restrictions respecting the handling of CPIC material, records, and information* form.
3. The warden or designate ensures proof of security screening (i.e. fingerprints) for an authorized CPIC user. The signed acknowledgment form is made available to a CPIC auditor upon request.
4. Records supervisors identify authorized CPIC users on the RCMP access spreadsheet. This spreadsheet is maintained and forwarded to CPIC whenever changes to the list occur.
5. A CPIC query is conducted upon the initial admission of an inmate to a correctional centre.
6. CPIC query results are severed of all information that does not pertain to the inmate prior to being placed on the inmate's master file.

7. When CPIC query results indicate outstanding warrants, the authorized CPIC user notifies the originating agency via a CPIC message. The notification contains the location and status of the inmate (sentenced or remand), the next court date, the probable date of discharge, and a contact person within the centre.
8. When CPIC query results indicate a special interest to police (SIP), the authorized CPIC user notifies the originating agency via a CPIC message. The notification contains information identified in subsection 3.3.6(7).
9. Prior to the release of an inmate, a CPIC query is completed to ensure no additional warrants have been entered in the system since intake. Notification is completed according to procedures in subsection 3.3.6(7).
10. Correctional centres do not disseminate CPIC query results. All requests for CPIC information are made through the submission of a *request for access to personal information* form, which is forwarded to Information Access Operations as a formal freedom of information request.
11. A printed copy of the CPIC MOU is located within close proximity of all correctional centre computers that are used to provide authorized access to CPIC.
12. Only a cross-cut shredder is used for the destruction of CPIC printouts.

3.3.7. CORNET image capture

1. CORNET contains a photo imaging system that links photo images with CORNET data and is used to identify inmates.
2. CORNET image capture enables staff to electronically capture and store digital images of inmates, any identifying marks, and their personal effects for identification and security.

3.3.8. CORNET image capture standards

Images taken with the CORNET image capture system are in accordance with the following standards:

1. Digital photo(s) of the inmate are captured and saved upon admission to a correctional centre for each new case as a routine part of the admission procedure.
2. A new digital photo is captured and saved during a term of custody if a client's appearance has changed substantially and would prevent positive identification.
3. Images are saved in the CORNET database and are of sufficient quality to positively identify the inmate. The procedures for capturing inmate images are located in the Maintain Client Photo module of the *CORNET Users Guide*.
4. A full-face or frontal pose is always captured. Right or left profiles or an intermediate angle pose may be used in addition to the full-face pose if the perspective provides important identifiable features not seen on the frontal pose.

5. A full-face pose is captured with and without glasses for inmates who normally wear glasses.
6. An inmate's identification marks (as well as scars, tattoos and/ or deformities) are captured to further verify positive client identification.
7. Each centre ensures that high quality images are stored on the CORNET database. As part of the release process, staff review the history of client images. If blurred and/or redundant images are found they are to reported to the warden, or designate.
8. Descriptive information in CORNET Image Capture System must be accurate when the image was taken and updated with each new image.
9. Every effort is made to ensure that the image is saved to the correct correctional service (C.S.) number. If the image is saved to the incorrect C.S. number, the image must be removed. Systems Services Unit is contacted immediately (within 48 hours on weekends) to transfer the image(s), when possible, to the correct C.S. number.
10. If CORNET Image Capture applications are unavailable, centres substitute manual procedures. Polaroid/ digital cameras are used to record client photographs. Once the application is restored, every effort is made to electronically record the client image.
11. Images taken and stored on the database are distributed in accordance with provisions of the *Freedom of Information and Protection of Privacy Act*. Questions regarding the release of digital images are referred to Programs and Strategic Services. This distribution includes paper printouts, faxes, emails and other means of sending a client image to another person and/ or agency.

3.3.9. CORNET Image Capture Photo Line-Up

CORNET Image Capture Photo Line-Up permits users to produce and print a photo line-up of inmate images.

3.4. Warrants and Slate Management (revised: Sep-11)

3.4.1. Interpretation of warrants

1. When the interpretation of a holding document is ambiguous, clarification from the court issuing the document is obtained.
2. Crown counsel is contacted when there is a question about the intent of the judge at sentencing.

3.4.2. Interpretation of warrants/ sentence calculation

1. Problems with interpretation of documents are usually not related to a single warrant. More frequently, they involve warrants issued by courts over time.
2. The following steps are followed when making an interpretation:
 - Sort warrants by the date of sentencing;
 - Check each warrant of committal and find any time to be satisfied in default of payment of a fine;
 - Check the offence code on each warrant of committal—note any sentences of escape lawful custody;
 - Check the date of conviction on the warrant of committal;
 - Examine the first warrant and determine if more than one sentence is indicated. Determine the concurrent or consecutive nature of each sentence;
 - Except for cases of warrant of committal for breach of a conditional sentence order(s), sentences are calculated as concurrent unless specified as consecutive; and
 - A warrant of committal for breach of a conditional sentence order is consecutive to another sentence unless specified as concurrent (section 742.7(2) of the *Criminal Code*).
3. Sentences not specifically identified as being consecutive are always considered to be concurrent. (Exception: breach of conditional sentence). When there is ambiguity, clarification is sought from the court concerning the intent of the sentence.

3.4.3. Interpreting warrants

The following guide helps determine the status of a warrant:

1. Where is the warrant directed?
 - Federal institution—inmate is admitted and held in a provincial correctional centre when awaiting:
 - The 15-day appeal period; or
 - Completion of other court matters.
 - Provincial correctional centre—inmate is admitted.
 - Police lockup—inmate may be accepted at a correctional centre.
2. Name: Confirm that the person named on the warrant is the person brought into custody by the escorting agency.
3. Offence.
4. Remanded to: Confirm that it is correctly dated.
5. Is the warrant dated properly at the bottom?
6. Is there a signature of the court clerk or justice of the peace or judge?

3.4.4. Remand warrant

1. The remand warrant legally detains the inmate only until the date indicated.
2. On that date, the inmate must return to court for another disposition and will require an additional holding document for review.
3. Remanded inmates who are released prior to their next court date must have their remand warrant manually closed in CORNET. Records officers do not need to manually close remand warrants for remanded inmates who are released on the same day he/she attends court.
4. Overnight, CORNET automatically closes a remand warrant. Records officers can manually close remand warrants to enter a specific reason for closing the warrant.
5. Records officers do not manually change the court date of an existing remand warrant when a subsequent remand warrant on the same file number is issued. The new warrant must be transferred into CORNET, while the previous warrant is automatically closed overnight.

3.4.5. Warrant for committal

1. A warrant for committal can be used to hold an inmate in custody for an indefinite period of time. This warrant is also referred to as a detention order.
2. Usually one of eight clauses listed on the warrant is circled, identifying the purpose of custody.
3. Records officers manually close warrants for committal in CORNET upon disposition of sentence or release of an inmate.

3.4.6. Advice after committal for trial

After an inmate is committed for trial, the court often sends a committal for trial order. This document does not provide legal custody; its purpose is to inform the correctional centre that the inmate has been committed for trial.

3.4.7. Warrant of committal upon conviction

1. A warrant of committal upon conviction usually indicates the sentence the inmate received at court. Attached to the back of the warrant, or listed on the front, is information about the offence.
2. This warrant is used for non-payment of a fine. Records officers need to note whether the time to pay has expired or been waived, because the warrant may need to be executed.
3. Records officers manually close warrants of committal in CORNET prior to the release of an inmate.
4. Warrants of committal, including one-day sentences, must be transferred in and become a part of the inmate's provincial case file history. (Note: One-day warrants of committal are transferred in only for inmates who are active to the centre.)

3.4.8. Order for attendance of the inmate

An order for the attendance of an inmate is not a legal holding document. It is an order specifying when and where an inmate is required to appear in court. This order is often referred to as a spring order or a judge's order.

3.4.9. Executing warrants

In some instances, records officers must execute a warrant. The procedures are:

1. Tell the inmate what is being done and according to what authority.
2. Read the entire warrant to the inmate.
3. Ensure the inmate understands what has been read.

4. Enter position title, date, time, and sign bottom of the warrant.
5. Check the box provided in part 3, indicating that the warrant has been issued.
6. Fax that copy to the originating court registry.

3.4.10. Judge's letter interpreting warrants

1. A judge's letter cannot vary a warrant of committal. The letter may clarify ambiguity in the warrant.
2. If a judge's letter purports to vary a warrant, the judge should be requested to furnish the correctional centre with an amended warrant.

3.4.11. Notification of the results of an appeal

1. When an appeal is heard, it can sometimes take weeks to receive the appeal court order.
2. To inform the correctional centre of the results, the court of appeal issues a letter to the concerned centre after the case has been heard and notes the results.
3. This letter is for information only and cannot be used as the formal document to recalculate sentences and/ or receive or release inmates. The actual court order is required for these purposes.

3.4.12. CORNET—JUSTIN integration

1. CORNET and JUSTIN are integrated to allow records officers to transfer warrants from JUSTIN to CORNET rather than entering the data manually.
2. The JUSTIN Document slate and the Pending Arrivals slate allow records officers to link participants within JUSTIN to inmates in CORNET.
3. CORNET uses a unique identifier for each inmate (i.e. CS #). JUSTIN uses a participant identification number (i.e. Part ID)

3.4.13. JUSTIN documents default to correctional centre locations

1. JUSTIN documents are associated with correctional centres based on the default location of the court issuing the document.
2. JUSTIN documents appear in the correctional centre's JUSTIN Document slate from their default court locations unless a participant link has been created between the inmate and another location.
3. JUSTIN documents for both male and female inmates appear according to the correctional centres default court locations. Centres may have documents appearing for female inmates that are housed at other locations, because the housing of female offenders is limited to three centres.

3.4.14. Documents available for transfer from JUSTIN

Youth provincial, adult provincial and all Supreme Court documents are available for transfer from JUSTIN on the JUSTIN Documents slate.

3.4.15. Documents that do not appear on the JUSTIN documents slate

The following documents do not appear on the JUSTIN Documents slate and require manual entry into CORNET:

- Federal and provincial parole suspension/ revocation;
- Out-of-province warrant;
- Judge's order of attendance (spring order) when created by Crown counsel. Spring orders created by the court are available for transfer;
- Warrant of immigration; and
- All warrants issued by an appeal court.

3.4.16. JUSTIN Documents slate management

1. JUSTIN documents in CORNET are managed using the JUSTIN Document slate.
2. CORNET automatically fills in certain information on the document.
3. The legal document is the electronic document that can be viewed and printed from the JUSTIN Documents slate and Client Document Summary in CORNET.
4. Records officers contact the court registry immediately if documents appear on the JUSTIN Documents slate without a corresponding viewable electronic document.
5. The JUSTIN Documents slate is frequently refreshed by records officers to control the flow of documents.

3.4.17. Deleting JUSTIN documents from the slate

1. Documents remain on the JUSTIN Documents slate until they are transferred in or deleted.
2. Records officers delete a JUSTIN document from the slate only when one of the following conditions exists:
 - Inmate is no longer in custody and the document has already been manually entered into CORNET;
 - Inmate is in custody in another jurisdiction (federally or provincially outside of B.C.);

- It is confirmed that the Correctional centre holding the inmate has already manually entered the documents in CORNET;
- Inmate is in custody at another centre, and the other centre has been contacted to confirm that the documents can be deleted; and
- Attempts to transfer the documents have failed, and SSU has been notified and recommends manually entering the document.

3.4.18. Documents appearing on the JUSTIN Documents slate when the centre is not responsible for the inmate

1. Records officers will notify the appropriate centre, within two working days, when a document appears on their JUSTIN Documents slate for an inmate who is active at another location.
2. Records officers will delete a document from their JUSTIN Documents slate once it is confirmed that the inmate is being held by the police (or other outside agency) and B.C. Corrections is not responsible for the care and control of that inmate.

3.4.19. Retrieving documents from another centre's JUSTIN Documents slate

1. A document issued from court will automatically appear on the centre's JUSTIN Documents slate if they are the default location for that court or if the inmate already has a participant link to that centre.
2. If an inmate arrives at a correctional centre without a document appearing on the JUSTIN Documents slate, records officers attempt to locate the document and pull the document from the default court location's JUSTIN Documents slate.
3. Using information on the paper copy of the document, records officers enter the issuing court location and court file number in the appropriate fields on the JUSTIN Documents slate. This procedure is completed to locate the document and complete the transfer process.

3.4.20. Records officers slate management and related responsibilities

1. Records officers are responsible for ongoing and continued management of the Pending Arrivals slate and JUSTIN Documents slate.
2. Records officers ensure that documents on the JUSTIN Documents slate are managed on the date of issue or, in cases when the inmate has not yet been admitted to the correctional centre, on the date of admittance. Documents are managed by:
 - Transferring in the document;
 - Deleting the document Refer to section 3.4.17 before deleting any document from the slate; or

- Notifying the appropriate correctional centre of the document.
3. The majority of inmates are admitted to the centre from the Pending Arrivals slate. Records officers use the Pending Arrivals slate as a launching point to:
 - Admit inmates;
 - Manage their associated JUSTIN documents;
 - Admit inmates back into the centre; and
 - Create a participant link between CORNET and JUSTIN when required.
 4. An inmate may appear on the Pending Arrivals / JUSTIN Documents slates with or without a CS number:
 - With CS number—If the CS number is displayed, the participant link has been created; or
 - Without CS Number—If the CS number is not displayed the participant link has not been created. The inmate may or may not have a CS number already assigned to them.
 5. Records officers initiate a search through the Pending Arrivals slate if the inmate is not linked to JUSTIN (i.e. if no CS number fills the slate). A participant link must be created before an inmate or document can be processed.
 6. Transfer documents from the JUSTIN Documents slate into the Client Document Summary screen of CORNET.

3.4.21. JUSTIN Accused History Report

1. The JUSTIN Accused History Report displays an inmate's JUSTIN court history and contains information on court activities at all court locations across British Columbia.
2. The JUSTIN Accused History Report can be accessed via CORNET provided that a JUSTIN participant link has been created for the inmate.

3.5. Inmate Clothing and Personal Effects (revised: Oct-12)

3.5.1. Definitions

1. “Personal effects” means properties rightfully possessed by an inmate or properties delivered with the inmate to a correctional centre.
2. “Cell effects” means any personal effects that are retained by an inmate within their cell or living space.
3. “Sealed” means a numbered seal tag has been fastened to an effects storage bag.

3.5.2. Acceptance of inmate effects

1. Correctional centres accept personal effects that are in the possession of an inmate upon admission to a centre.
2. An inmate’s personal clothing is stored in an effects storage bag according to the correctional centre’s standard operating procedures.
3. Effort is made to send to the inmate’s home or to another location (to be specified by the inmate), difficult or impossible to store articles and items in excess of Corrections Branch approved individual storage unit capacity, at the inmate’s expense.
4. Items received by mail/ courier or brought in by visitors are not accepted without authorization by the designated authority.
5. Authorized items are received and placed in the inmate’s personal effects and recorded in the Effects Intake screen in CORNET.
6. Unauthorized items received by mail/ courier are returned to sender. Postal insurance is purchased through the Inmate Benefit Fund. Refer to section 10.14.7 (8).

3.5.3. Recording of funds upon admission

1. Records staff ensure funds belonging to a newly admitted inmate are counted, recorded and, if possible, given directly to the trust clerk. If the trust clerk is unavailable, the funds are placed in a secure funds container.
2. Whenever possible, records staff count inmate funds in the presence of the inmate. A receipt is provided to the inmate and the transaction is recorded in the Trust Account screen in CORNET.
3. An inmate without funds upon intake is provided a receipt for zero dollars. The transaction is recorded in the Trust Account screen in CORNET.
4. Inmate funds are not stored in the inmate’s personal effects. Exceptions to this include:

- Foreign currency that is not accepted by the centre. Foreign currencies accepted by correctional centres are the American dollar, pound sterling, and euro; and
 - Funds belonging to an inmate serving an intermittent sentence over the weekend.
5. Foreign currency and funds belonging to an intermittent inmate are recorded in the Effects screen in CORNET.

3.5.4. Recording and storage of medications upon admission

1. Records staff ensure that all medications belonging to a newly admitted inmate are forwarded immediately to the intake nurse during the admission process.
2. The intake nurse records the inmate's medications in the Primary Assessment and Care (PAC) inmate health information system. Once documented, records staff ensure that the medications are placed in the inmate's personal effects and recorded by description only (e.g. prescription medication: bottle, white pills) in the Effects Intake screen in CORNET. Medications are not recorded by name in the effects screens in CORNET.

3.5.5. Retention of personal effects by inmates

1. Inmates can keep personal articles (i.e. cell effects) when they do not present a security risk or management problem for the centre.
2. Correctional centres make available to inmates a list of allowable items.

3.5.6. Recording of personal effects

When practical, an inmate is present when staff itemize/record personal effects. Personal effects are recorded electronically in the Effects Summary and Effects Intake screens in CORNET in the following manner:

1. All personal effects are recorded and placed in storage at the time of admission. Condition of the items and brand names are recorded. Jewellery and other valuables are described and/or photographed, when deemed applicable. Jewellery is described by the colour of metal and the colour of any stones.
2. Items received upon admission that are defined as contraband are recorded and placed into personal effects.
3. Items received upon admission that are considered illegal are sealed in a plastic evidence bag, marked and dated as illegal contraband, and forwarded to the supervisor for action.
4. After all effects have been recorded, the inmate and staff sign the printed Client Personal Effects report, indicating the listing to be complete and accurate.
5. The effects are sealed with a numbered seal tag that is recorded in the Effects Summary screen in CORNET. When the seal is broken, all effects are re-itemized.

6. Items added to the inmate's effects following admission to custody are recorded in the Effects Intake screen in CORNET. Additions are only made when it is essential that the inmate requires the item for release, and the warden or designate gives approval to add the item. A request from the inmate is required to add the authorized item to his/ her effects in the admission and discharge office. This request is recorded in the Client Log in CORNET. Once new items are added and all pre-existing items are accounted for, the effects are sealed with a new numbered seal tag that is recorded in the Effects Summary screen in CORNET.
7. Items that are removed from the inmate's personal effects in the admission and discharge office and placed in the inmate's possession are recorded in the Effects Release screen in CORNET. Inmates are informed that they are fully responsible for items retained in their possession. An inmate may apply—in writing to the warden—to have an item that is held in storage released into the inmate's possession. Approved requests are recorded in the Client Log in CORNET. Staff members, who release an item to an inmate to retain in their possession, sign the Client Personal Effects report or place their electronic identifier against the entry for electronic records. The inmate signs for any items retained or released to their possession. The effects are re-itemized and sealed with a new numbered seal tag that is recorded in the Effects Summary screen in CORNET.
8. When an inmate is transferred to another centre, the sending centre ensures that:
 - The effects are transferred in the Effects Release screen in CORNET;
 - The effects are sealed with a numbered seal tag that is recorded in the Effects Release screen in CORNET. The identifier of the staff member transferring the effects is noted on the printed effects form;
 - The inmate signs that all personal effects are accounted for at the time of the transfer;
 - The printed and signed Client Personal Effects report is forwarded in the warrant file. A photocopy is kept for reference; and
 - All effects are transferred with the inmate whenever possible, or forwarded later by courier.
9. Upon admitting the transferred inmate, the receiving centre ensures that:
 - The numbered seal tag is in place;
 - The effects are electronically transferred in on the Effects Intake screen in CORNET; and
 - If the seal tag is insecure or missing, the effects are checked against the items recorded. Discrepancies are noted in writing by admitting staff to their supervisor for action. The effects are re-sealed with a new numbered seal tag that is recorded in the Effects Summary screen in CORNET.

10. Hobby materials purchased or produced while in custody are not forwarded with personal effects at the time of transfer between centres. They are recorded in the Client Log in CORNET. Each centre develops procedures for the transfer, storage and disposal of hobby materials and products.
11. Temporary release, return or disposition of items is recorded in the effects screens in CORNET.
12. Temporary release of effects for court attendance purposes is recorded in the printed effects summary report and is referenced by number rather than a full description of each item.

3.5.7. Release of inmate clothing and personal effects

1. An inmate wishing to release personal effects to someone in the community must apply in writing to the warden or designate.
2. The approved request is sent to the records department where it is recorded in the Client Log in CORNET. The visitor signs a receipt.

3.5.8. Transfer of inmate effects

1. When practical, all effects are transferred at the time of the inmate transfer. Correctional centres develop a process to ensure effects that did not initially accompany the inmate are transferred as soon as possible.
2. When an inmate is transferred between correctional centres, the transferring centre identifies the number of cell effects containers being transferred with the inmate on the centre's transfer log.
3. If there are grounds to believe an inmate has contraband in their cell effects, a staff member searches the property in the presence of the inmate, when practical. Any contraband found is forwarded to the supervisor for action.
4. The transferring centre assumes responsibility for the movement of effects not taken by the escort or inmate.

3.5.9. Compensation for damaged or lost inmate effects

1. The Corrections Branch is responsible for damaged personal effects and personal effects that cannot be produced on transfer or discharge of an inmate from custody.
2. In the event of loss or damage to inmate effects, the centre where the loss or damage occurred assumes responsibility for negotiating compensation.
3. Offers of compensation are recorded in the Client Log in CORNET.
4. The inmate is informed, in writing, of the offer of compensation and that the effects claim will be considered abandoned if the inmate does not respond within three months.

3.5.10. Storage of inmate effects on discharge, escape or transfer

1. Personal effects held by a centre following an inmate's release at court, escape, transfer or death are stored in a safe place.
2. Correctional centres receive and store personal effects of paroled inmates who are unlawfully at large for longer than 30 days from an approved community residential facility.
3. Personal effects retained by an inmate and left in the inmate's cell or living space or elsewhere upon discharge, escape, internal or external transfer, or movement are the responsibility of the inmate, except in circumstances when an inmate is unable to secure their own effects (refer to section 3.5.10). As soon as practical, the centre collects effects that can be located and makes a record of items located. The Corrections Branch is not responsible for items that were in the possession of an inmate and not located or collected.
4. Personal effects that cannot be forwarded with an inmate on transfer, due to size or quantity, may be requested and forwarded to a location specified by the inmate, at the inmate's expense.
5. Within three months of discharge from custody, inmates may attend the correctional centre to receive personal effects held in safekeeping.
6. An inmate may request personal property not received at discharge. This property may be forwarded to the inmate's location at the inmate's expense.
7. In the event of an inmate's death, effects are forwarded to the next-of-kin.

3.5.11. Securing of inmate cell or living space effects

Correctional centres develop protocols for itemizing and securing cell effects in the event an inmate is unable to secure their effects (e.g. movement to segregation, release at court).

3.5.12. Seizure of inmate effects by police or other agencies

1. When police or other agencies request to see the property of an inmate or wish to take possession of personal property, a search warrant is requested.
2. A copy of the search warrant is placed on the inmate file and all items seized are signed for by the seizing agency.
3. The seizure is recorded in the Effects Release screen and Client Log in CORNET by itemizing the seized effects. The effects are re-sealed with a new numbered seal tag that is recorded in the Effects Summary screen in CORNET.
4. Search warrants subject to sealing orders are placed in a sealed envelope and clearly marked "Sealing Order – Not to be disclosed" prior to placement in the inmate file. Search warrants are not recorded in the Effects Release screen or Client Log in CORNET.

3.5.13. Disposal of abandoned clothing and personal effects

1. Personal effects not claimed by an inmate within three months of discharge, transfer or escape, become the property of the Crown in right of the province.
2. Each inmate, upon admission to a centre, is advised that property abandoned within the definition of the *Correction Act Regulation*, section 36, is subject to disposal.
3. If abandoned inmate property is of face value exceeding one thousand dollars, the centre contacts the Purchasing Commission to dispose of the item. The centre disposes of other items of the inmate's property, subject to the following considerations:
 - If the estimate of the total face value of the property exceeds five hundred dollars, the warden or designate—before ordering disposal of the property—makes reasonable endeavours to contact the inmate or next-of-kin (e.g. by double registered letter to last known address) to return the effects to the correct recipient; and
 - If the personal effects include a document or item whose disposal is likely to represent a considerable financial loss or hardship to the inmate or a third party, the warden or designate may determine if more exhaustive endeavours are needed to contact the inmate.
4. The warden ensures that actions taken to return clothing and personal effects to an inmate are documented in the Client Log in CORNET. Prior to disposal, an itemized list is placed in the inmate's file. The disposal list is signed and dated by the appropriate authority before a witness who also signs it. The list includes:
 - Condition and estimated face value of each item;
 - Full description of each item by colour, make and serial number; and
 - Manner of disposal.

If ownership of inmate property subject to disposal is unknown, the list is placed in a central file at the centre.

5. If, in the opinion of the warden, property abandoned by an inmate is of minor or no intrinsic value, the warden may order that:
 - The property be destroyed; or
 - If clothing or footwear is involved, it is:
 - Furnished to other inmates who, upon discharge, need adequate clothing and footwear;
 - Donated to a charitable organization; or

- Sold through a consignment store or locally accredited auction, and proceeds deposited to the account of the centre's inmate benefit fund.
6. To the greatest degree possible, effects rooms are secure. Except in emergency circumstances, only the officer assigned to that area has access.
 7. When an inmate with abandoned effects is re-admitted to a custody centre within 90 days of his/her previous release, the admitting centre contacts the releasing centre to make arrangements for the effects to be transferred to their centre. The abandoned effects remain sealed and are not combined with the inmate's current effects but instead are stored in the effects room.

3.5.14. Court appearances

1. Money and personal effects, other than the clothing worn by the inmate, may not be transferred to court with an inmate unless there is a clear likelihood of release at a distant court location.
2. Excess effects not transferable by the escort to distant court locations are forwarded at the inmate's expense.
3. In other cases, inmates released at court are responsible for returning to the centre to retrieve personal effects.

3.6. Inmate Court Movement (revised: Aug-08)

3.6.1. Introduction

The Corrections Branch maintains custody of inmates who have active cases before the courts. Court appearances are conducted in person or by video court.

3.6.2. In-person court appearance

1. Inmates are transported to and from court by Sheriffs Services.
2. All inmate movement to and from court is electronically recorded in CORNET.
3. Inmates transferred between correctional centres to make distant court appearances are scheduled to arrive at the receiving centre in sufficient time to accommodate transport to the court of destination.
4. Prior to the inmate leaving the centre, the identity is confirmed by comparing the inmate to photos and information on the Client Physical Description screen in CORNET.
5. While the inmate is in their custody, sheriffs report any behavioural and safety concerns or incidents to the originating centre where the inmate was housed. CORNET is updated to reflect these reports.
6. When the court clears the inmate on the matter for which they attended court and there are other active holds, the inmate is returned to the originating centre.
7. When the court clears the inmate on the matter for which they attended court and there are no other active holds, the releasing officer conducts the release review in accordance with section 3.20.6 and 3.20.7.
8. When it is confirmed that the inmate is to be released from the court location and there is an active or pending community supervision order, the originating centre completes the Referral To Community in CORNET. A Reporting Direction in CORNET is not indicated.

3.6.3. Video court appearance

1. All centres that use video court must establish written protocols with the local Sheriff Services to establish:
 - The minimum number of five scheduled video courts appearances when the sheriff is required on site to manage and co-ordinate them;
 - Orientation and training requirements;
 - Sheriff's hours of work;

- Sheriff's reporting structure while on site; and
 - Sheriff's process to inform the records officer in writing about the outcome of the video court appearance at the conclusion of the hearing.
2. To ensure consistency, each centre must review the protocol annually on February 1.
 3. When there is no on-site sheriff, the centre establishes video court operating procedures.
 4. Defence counsel may attend in person in the video courtroom.
 5. Inmates scheduled for video court appearances are not transferred to other centres unless arrangements have been made to conduct the video appearance at the new location or return the inmate to the originating centre to conduct the scheduled video appearance. The arrangement is recorded in the Client Log of CORNET by the records officer.
 6. All video court releases are processed in the same manner as other custody releases in accordance with section 3.20.6 and 3.20.7.

3.7. Sentence Calculation (revised: Aug-10)

3.7.1. Purpose

1. The primary concern in sentence calculation is computation of accurate dates upon which an inmate may be paroled or discharged.
2. The assistant deputy warden of sentence management of the receiving centre ensures that these dates are accurately computed and entered by qualified staff.

3.7.2. Definitions

The following definitions relate to sentence calculation:

1. *Aggregate term*: Combination of all concurrent, and/ or consecutive sentences;
2. *Bail review date*: Date upon which the offender is brought before the court to have the conditions of bail reviewed;
3. *Concurrent sentence*: A term that commences on the day it is imposed and runs simultaneously with previously imposed sentences;
4. *Conditional sentence order*: A custodial sentence that allows an offender to serve the sentence in the community, subject to the offender complying with conditions set by the court;
5. *Consecutive sentence*: A sentence that commences after expiry of a previously imposed sentence;
6. *Day parole*: Conditional release that allows an offender to serve a portion of a sentence in the community beginning at one-sixth of their sentence. The offender must reside in a correctional half-way house or treatment centre.
7. *Fixed term sentence*: The number of days between two overlapping concurrent sentences, calculated from the date of the first sentence to the expiry date of the second sentence;
8. *Full parole*: Conditional release that allows an offender to serve a sentence in the community beginning at one-third of sentence.
9. *Intermittent sentence*: Interrupted term of imprisonment;
10. *Lawful custody*: When an inmate, serving a term of imprisonment, is under the charge, control or supervision of the Corrections Branch;
11. *Probable discharge date*: This is the earliest possible date an inmate may be released from custody, taking into account all earned remission. The probable discharge date is equal to approximately two-thirds of the inmate's aggregate or combined sentence.
12. *Sentence term*: Period of imprisonment shown on a warrant of committal.

13. *Warrant expiry date*: This is the latest date on which all sentences currently being served will expire. This date may be extended if an inmate has been on bail pending an appeal of the sentence, or is unlawfully at large after parole has been suspended or after escaping from custody.

3.7.3. Responsibility

1. The warden or designate is responsible for ensuring the accuracy of sentence calculations for inmates being held in that centre.
2. The records department in the receiving centre is responsible for calculating an inmate's sentence.

3.7.4. Rules for sentence calculation

1. For each sentence, the term is first calculated as the number of days in the sentence. The term always begins on the date the warrant of committal was executed, otherwise known as the sentence effective date.
2. If an inmate receives one month on each of three counts, and each count is consecutive, each count is considered a separate sentence and served in succession. Each sentence is computed with the sum of the sentences added together as a merged sentence. It begins from the date the first sentence was imposed and ends when the last sentence expired.

3.7.5. Month

1. Sentences cited in units of one month are calculated from date of imprisonment (effective day of sentence) to the day numerically corresponding to the same day in the following month, less one. When there is no corresponding day in the last month of imprisonment, the inmate's term is on the last day of the month.
2. Sentences cited in months are calculated from the date of imprisonment to the day corresponding in the final month, minus one.

3.7.6. Years

Sentences cited in units of years are calculated from the date of imprisonment to the same day in the following year, less one day.

3.7.7. Leap year

A leap year has 366 days.

3.7.8. Warrant expiry date

1. When a sentence is expressed in months or years, the warrant expiry date may be determined according to the above definitions.
2. If a sentence is expressed in days, the warrant expiry date is always calculated from the sentence start date, plus the number of days of full term, minus one.
3. Example: If an inmate receives a sentence of 10 days on January 5, the warrant expiry date is $\text{January } 5 + 10 - 1 = \text{January } 14$.

3.7.9. Days to serve

Days to serve are always computed as the number of days to satisfy in a sentence, less days of remission that may be earned.

3.7.10. Days to satisfy

1. The days to satisfy in a sentence must always equal the number of days in the full term of the sentence.
2. Days served plus days of remission earned equals days satisfied.

3.7.11. Possible remission

1. After the full term of an inmate's sentence is determined, the amount of available remission is computed as 15 days for every full calendar month served. This applies to all months regardless of the length of the month.
2. Remission for partial months served, particularly the first and last months of a term of incarceration, is calculated with the formula—one day of remission for every two days served.
3. This formula for calculation of remission and probable dates of discharge are applied to every sentence calculation when remission is awarded, without exception. Thus, the estimation and accounting for remission is consistent for all inmates.

3.7.12. Loss of remission and reinstating lost remission

1. When an inmate loses remission, the days the inmate must satisfy, and therefore the probable date of discharge, may be altered. (Note: Failure to earn one day does not always alter the probable discharge date.)
2. When an inmate loses remission, the inmate is eligible to earn remission on the days lost. For every three days of lost remission, an inmate is eligible to earn one day as remission. Therefore, if an inmate loses 10 days of remission, the discharge date, in most cases, is only extended by seven days.

3. Similarly, if lost remission is reinstated, an inmate will have redeemed a number of days to be satisfied and the probable date of discharge is again altered. If 10 days loss of remission is reinstated, the discharge date, in most cases, is reduced by seven days.

3.7.13. Failure to earn remission

1. At the end of each month, an inmate is eligible to earn remission on time served during the month.
2. 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.
3. The same rule applies here as above. When there is a failure to earn remission, the inmate is eligible to earn remission on the days served.

3.7.14. Escape

An inmate is credited with the day of escape and with the day of recapture.

3.7.15. Determination of where sentence is served

Section 743.1 of the *Criminal Code* states that a person who is sentenced to imprisonment for life, a term of two years or more (including a merged sentence), or two or more consecutive terms adding up to two years or more, is sentenced to imprisonment in a penitentiary.

3.7.16. Exception to the two-year sentence rule

A person sentenced to imprisonment for escape can be directed to serve that sentence in a penitentiary. This exception is made at the direction of the court issuing the sentence, even though the time to be served is less than two years), pursuant to section 149 of the *Criminal Code*.

3.7.17. Commencement of sentence/ resumption of sentence

A term of imprisonment imposed at a trial or on appeal commences or resumes on the day the convicted person was arrested and taken into custody under the sentence, according to section 719 of the *Criminal Code*.

3.7.18. New order for detainment

When a new trial is ordered by the court of appeal, the original detention order continues until the conclusion of the new trial, or until the accused applies to the court of appeal and satisfies the court that an order for release should be made.

3.7.19. Sentenced inmate returned to court

1. When an inmate is serving a sentence and returned to court for further sentencing, the records officer, when requested, provides Crown counsel with information relating to the sentence being served.
2. This information includes but is not restricted to the:
 - Inmate serving a sentence in lawful custody;
 - Term or aggregate of terms currently being served by the inmate;
 - Start date of sentence;
 - Expiry date of the term or aggregate of terms being served; and
 - Projected date of discharge from lawful custody, taking into account remission that may be earned on the sentences currently being served.

3.7.20. Merger of sentences

1. When an inmate serving a sentence is subject to a new concurrent sentence(s), the old and new sentences are merged. The merged sentence commences at the start date of the first sentence and ends when the last and longest sentence expires. Remission is recalculated on the merged sentence.
2. When an inmate serving a sentence is subject to a new consecutive sentence, the new sentence is added to the existing one and commences the day after the first one expires. The sentence becomes a merged sentence.

3.7.21. Calculation of concurrent sentences

1. A concurrent sentence means a term that commences on the day it is imposed. When the wording of the warrant of committal provides more than one interpretation, the records officer contacts Crown counsel or the court registry for interpretation of judicial intent.
2. When an inmate is sentenced to several terms of imprisonment all commencing on the same date, and the warrants are specified as concurrent, the warrant with the longest sentence applies.

3.7.22. Consecutive sentence to a fixed term sentence

1. If the consecutive sentence is consecutive only to one particular warrant that is part of a fixed term sentence, it is deemed to set aside the fixed term sentence when the warrant expiry date is past the warrant expiry date of the fixed term sentence.

2. When the sentence is consecutive to another sentence being served, it is added to the balance of the fixed term sentence.

3.7.23. Parole—calculation of sentence

1. When an inmate is granted parole, there is an expectation that parole continues until completion of the full term or aggregate term of the sentence (warrant expiry date).
2. An inmate accepting parole forfeits remission earned to the date of release on parole.
3. When parole is revoked, remission may be earned for the sentence served from the time of the renewed confinement.
4. When an inmate is serving a sentence on parole, upon subsequent revocation of the parole, the sentence being served is interrupted from the date of suspension to the date of apprehension.
5. When a release by the Parole Board of Canada is subsequently suspended and revoked, the balance of the sentence is calculated from the date of apprehension to the new warrant expiry date.
6. This recalculation applies only when revocation takes effect. If parole is reinstated after being suspended, the sentence time is considered uninterrupted. The sentence time also continues to run uninterrupted if no action (re-instatement or revocation) follows the parole suspension before the sentence ends.
7. When a parolee is sentenced on a new charge prior to the expiry of the parole period, the sentence is:
 - Concurrent, running concurrently with the parole period, or concurrently with the sentence remnant, if parole is revoked;
 - Consecutive, commencing only after expiry of the sentence remnant if parole is revoked; or
 - Concurrent, when there is no indication that the sentence is to run concurrently or consecutively.
8. When an inmate's parole is suspended and subsequently revoked, the sentence is interrupted from the date of suspension to the date of apprehension.

3.7.24. Parole Board of Canada eligibility information

1. An inmate sentenced to six months or more is given a copy of the sentence calculation information form, at the time of admission to a correctional centre.
2. Copies of the form are distributed as follows:
 - Conditional release co-ordinator;

- Inmate; and
- Warrant and progress file.

3.7.25. Warrant interpretation

1. When the warrant of committal is unclear, the interpretation results in the least term of imprisonment.
2. When clarification of judicial intent is required, the records department contacts Crown counsel or the court registry.

3.8. Conditional Sentence Orders—CSO (revised: June-07)

3.8.1. Legal authority

1. Section 742 of the *Criminal Code* defines a conditional sentence order (CSO).
2. Under this section, the court may impose a CSO when it:
 - Imposes a sentence of imprisonment of less than two years, and
 - Is satisfied that serving the sentence in the community would not endanger the safety of the community and would be consistent with principles of sentencing in sections 718 to 718.2 of the *Criminal Code*.
3. The court may order that the offender serve the sentence in the community. This order is subject to the offender's compliance with the conditions of a conditional sentence order made under section 742.3 of the *Criminal Code*.

3.8.2. Definition

1. A conditional sentence order (CSO) is a custodial sentence served in the community under the supervision of a Community Corrections supervisor.
2. An offender who violates the terms may be subject to a breach of the CSO. A breach may result in the offender serving a portion or balance of the sentence in custody.
3. When an offender is sentenced to custody for a breach of the CSO, rules apply to calculation of the conditional sentence.

3.8.3. Conditional sentence calculation—CORNET procedures

1. The Conditional Sentence Calculation screen allows the user to maintain a chronological history of events as it pertains to a particular conditional sentence.
2. Users select incidents from a list of values and attribute them to the CSO calculation.
3. Some events stop the clock from running (e.g. time is not counting down on the order). Other incidents start the clock again.

3.8.4. Conditional sentence calculation—general principles

1. A separate conditional sentence order (CSO) calculation is required for every CSO that runs individually.
2. In addition to being a method of calculating days remaining, the CSO Calculation screen is a history of events that relates to the CSO.

3. Community Corrections is responsible for maintaining CSO calculations until the judge directs that the order is terminated.
4. Upon termination of the order, the calculation becomes the responsibility of the institution.
5. Custody centres refer to the community calculation as a point of reference when completing the institution calculation upon termination of the CSO.
6. Custody centres are responsible for verifying community calculations before relying on them.

3.8.5. Commencement of sentence

1. A conditional sentence commences on the date it is imposed unless the court directs otherwise.
2. When a conditional sentence is imposed at the same time a custodial sentence is imposed for another offence, the conditional sentence is served consecutively to the custodial sentence, unless the court directs otherwise. Refer to section 742.1 of the *Criminal Code* (*R. v Ploumis*, 2000, Ontario Court of Appeal).

3.8.6. Conditional sentence order suspended

According to section 742.6(10) of the *Criminal Code*, a conditional sentence order (CSO) is suspended when:

1. An arrest warrant is issued for the alleged breach (i.e. warrant issue date);
2. Offender is arrested without warrant for an alleged breach of conditional sentence (i.e. arrest date); or
3. Offender is compelled to appear in court (e.g. appearance notice, spring order).

3.8.7. Rules governing conditional sentence following breach of CSO

1. A conditional sentence order (CSO) is stopped when an offender is released to bail following an arrest on a breach of CSO. Refer to section 742.6(11) of the *Criminal Code*.
2. The offender must continue to comply with the CSO in the community.
3. When an offender is remanded into custody on a breach of a CSO, the offender is given credit on a day for day basis (no remission) for time served in custody while awaiting the conclusion of a breach of conditional sentence hearing. Refer to section 742.6(12)(13) of the *Criminal Code*.

3.8.8. Hearing of a conditional sentence order breach

1. The court determines a breach of a conditional sentence order (CSO) on a “balance of probabilities.” The determination of a breach of conditional sentence does not constitute a “new offence.” Refer to section 742.6(9) of the *Criminal Code*.

2. When a breach of CSO is determined, the court may:

- Take no action, and the conditional sentence resumes in the community;
- Suspend the sentence and order the offender to serve a portion of the remaining CSO in custody (the offender receives credit for time in custody and remission applies); or
- Terminate the conditional sentence and order the offender to serve the remaining portion of the conditional sentence in custody.

3.8.9. A conditional sentence following a breach

1. The court may give an offender credits against the conditional sentence if:

- There is an unreasonable delay in executing a warrant for a breach of conditional sentence. Refer to section 742.6(14) of the *Criminal Code*; or
- In exceptional circumstances, it would be in the interests of justice. Refer to section 742.6(16) of the *Criminal Code*.

2. When a breach of conditional sentence is withdrawn, dismissed or the offender found not guilty, the inmate is credited with:

- Time that the sentence has been suspended.
- A period equal to one and a half times the time the offender was detained in custody awaiting the breach hearing.

Refer to section 742.6(15) of the *Criminal Code*.

3.8.10. When offender is serving a CSO and imprisoned for another offence

When an offender is subject to a conditional sentence and receives a period of imprisonment for another offence, the conditional sentence is suspended during the period of imprisonment. Refer to section 742.7(1) of the *Criminal Code*.

3.8.11. Breaches/ new convictions/ multiple sentences

If the offender is sentenced to a period of imprisonment for another offence and on the same date is ordered to serve a portion or the balance of a conditional sentence order in custody, as the result of a breach, the sentences run concurrently, unless the court directs otherwise.

3.8.12. Resumption conditional sentence—community

1. A conditional sentence that is to be served in the community resumes following the release of an offender from imprisonment, on parole or expiry of sentence. Refer to section 742.7(4) of the *Criminal Code*.
2. Community corrections notification (refer to section 4.15), commencement and/or return to community supervision and CORNET “return to community” provisions apply.

3.8.13. Information for determining conditional sentence order calculation following breach

1. The following sources can be used to obtain information to calculate sentences:
 - Supervising Community Corrections supervisor;
 - Court registry—to obtain and confirm documents;
 - Warrants of committal;
 - Warrant for arrest;
 - Record of proceedings;
 - Reasons for judgment;
 - JUSTIN; and
 - CORNET (BCS – indicates the date a probation officer filed a breach and location of the probation office.)
2. If more advice is required after checking all these sources, contact the Adult Custody Division headquarters analyst.

3.9. Earned Remission (revised: Oct-10)

3.9.1. Authority

Authority to grant earned remission is found in section 6(1) of the *Prisons and Reformatories Act*, section 26 of the *Correction Act* and sections 32 to 35 of the *Correction Act Regulation*.

3.9.2. General

1. Every sentenced inmate may be credited with 15 days remission for each month served, based on program participation and adherence to rules and regulations of the centre.
2. Partial months are calculated on a proportionate basis. Refer to section 6(1) of the *Prisons and Reformatories Act* and section 34(2) of the *Correction Act Regulation*.

3.9.3. Information to inmates

Wardens or designates ensure that eligible inmates are provided information on earning remission.

3.9.4. Remission awards assessor

1. The warden appoints one or more staff members to be remission awards assessors for the correctional centre.
2. Remission awards assessors are appointed under the authority of section 33(1) of the *Correction Act Regulation*.

3.9.5. Responsibilities of remission award assessors

1. On a monthly basis consider inmate appraisals and/or review inmate progress logs.
2. Determine number of days of earned remission to be credited.
3. Notify inmates and records department of the remission award and amount of remission not earned for that period.

3.9.6. Performance appraisal

1. To determine remission, a staff member appraises an inmate's performance on the appraisal form in accordance with section 32 of the *Correction Act Regulation*.
2. The appraisal includes programs in which the inmate participates—other than religious programs—and the inmate's compliance with the rules governing the conduct of inmates.

3. Areas to be considered include work, training, school and program activities. Inmates are also evaluated according to how they co-operate with others while participating in these activities.

3.9.7. Criteria for crediting remission awards

Refer to section 34 of the *Correction Act Regulation*. Remission earned is credited according to the following levels of performance:

1. Good performance: 15 days.
2. Fair performance: 8 to 14 days.
3. Poor performance: 0 to 7 days.
4. A disciplinary hearing that is not concluded is not considered in assessing remission.
5. Remission awards are credited at month-end.
6. The records officer recalculates the inmate's probable discharge date when the inmate earns less than full remission.
7. When full remission is not credited, remission awards assessors ensure that written notification with reasons is given to the inmate.

3.9.8. Inmate transfers

1. Inmates transferring between centres are eligible to receive remission awards.
2. Remission reviews are completed on a monthly basis by the receiving centre.
3. The receiving correctional centre is responsible for making the award.
4. Should an inmate transfer occur within five working days of month-end, the sending institution completes an up-to-date monthly review for the receiving centre.
5. Inmates transferring to federal penitentiaries or serving a federal sentence are not reviewed for remission.

3.9.9. Remission awards rules

1. A disciplinary hearing resulting in loss of earned remission is not the sole basis for withholding earned remission at later dates.
2. An inmate confined to a segregation unit for disciplinary reasons or pending a hearing is eligible for remission.
3. Provincial parolees imprisoned under a suspension order are eligible for remission.
4. Earned remission that is not earned in one month cannot be awarded in a subsequent month, except as provided in section 3.9.10.

5. Inmates on temporary absence or day parole are eligible for remission.
6. Inmates in hospital are eligible for remission.
7. Inmates who are convicted of the common law offence of civil contempt or a statutory or regulatory offence for civil or criminal contempt, when there is no requirement to bring the inmate back to court, are eligible to earn remission.
8. Inmates who are incarcerated according to sections 14, 21, 22, or 23 of the *Family Maintenance Enforcement Act* are not eligible to earn remission.
9. Earned remission forfeiture may be reinstated partially or completely by:
 - The Parole Board of Canada—refer to section 138(3) of the *Corrections and Conditional Release Act*;
 - A disciplinary officer, on inmate application—refer to section 27(5) of the *Correction Act Regulation*; or
 - The director, Investigation and Standards Office on inmate appeal—refer to section 29(4)(b) of the *Correction Act Regulation*.

3.9.10. Review of awards

1. Inmates may apply in writing to the warden for a review of the decision made by the remission awards assessors.
2. The inmate applies for review within seven days of receiving the award.
3. The warden, within seven days of receiving the inmate's request, examines the basis for the decision, determines the validity of the inmate's appeal, and advises the inmate and the remission award assessors of the decision in writing to:
 - Confirm the remission award credited; and
 - Increase remission days credited or reduce remission days credited.
4. A record of the decision is made in the CORNET Client Log.

3.10. Escape

3.10.1. Definition

Escape means breaking out of prison, escaping lawful custody, or being at large without lawful excuse from a term of imprisonment.

3.10.2. Effects of escape

1. When an inmate serving a sentence escapes lawful custody or is unlawfully at large, time spent at large is deemed not served.
2. Whether upon conviction in a court of law or a disciplinary hearing for escaping lawful custody or being unlawfully at large, the interrupted sentence starts again upon arrest.

3.10.3. Application of escape sentence

When a consecutive sentence is imposed following conviction for escape from lawful custody, the sentence is consecutive to the unexpired portion of the term or aggregate term interrupted by the escape. Refer to section 149(1) of the [*Criminal Code*](#).

3.10.4. Laying of information

1. The warden or designate ensures that information about the escape is laid with the local police agency. This ensures that the charge comes before the court when the inmate is apprehended.
2. Documents to include are:
 - Escape notification form 7607;
 - Copies of record/ identification sheet;
 - When in use, Report to Crown Counsel;
 - Copies of warrants;
 - Reporting schedules for intermittents;
 - Officer reports; and
 - Copy of adult custody report.
3. Notifications as per section 2.5.4(6) apply.

3.10.5. Apprehension by police

1. When a records officer recalculates an inmate's sentence following apprehension, time spent in the police lockup is credited.
2. Confirmation must be obtained by verifying the date the inmate was actually apprehended.

3.10.6. Escapee apprehended in another province

1. When an inmate who escapes from a correctional centre in British Columbia is apprehended in another province or territory, the sentence does not continue to run until the inmate is returned to B.C.
2. The inmate cannot serve a sentence imposed in British Columbia in another province unless there is agreement to allow such sentences to be served.

3.10.7. Escapee apprehended outside of Canada

When an inmate escapes from a correctional centre in British Columbia and is apprehended in a country other than Canada, the inmate is not entitled to credit time spent in custody in another country.

3.11. Fines (revised: May-12)

3.11.1. General—sentences in default

1. Section 734.1(5) *Criminal Code* sets out the formula for calculating the term of imprisonment to be served in default of fine payment.
2. The term is the lesser of the:
 - Unpaid amount of fine or surcharge divided by eight times the minimum wage in the province when imposed at the time of the default, rounded down to the nearest whole number of days; or
 - Maximum term of imprisonment, expressed in days, that the court could impose on conviction.

3.11.2. Calculation of fine remaining

1. Credit for time served prior to fine payment is the sum of days served, plus earned remission at the time the fine is paid. This includes credit for the day of release.
2. Fine remaining is calculated as follows: Days served, plus earned remission, times eight times the provincial minimum wage, plus monies paid, subtracted from the total fine.
3. No amount offered in partial payment is accepted unless it reduces the sentence by one day or a multiple thereof, according to section 734.8(3).
4. Example—payment after satisfaction of a portion of a sentence:

May 1, 2012—\$1,500 fine imposed.

To calculate default time, \$1,500 is divided by \$82 (B.C. minimum wage based on \$10.25/hour, May 1, 2012). This equals 18.29 days, which rounded down equals 18 days.

May 10, 2012—inmate wishes to pay fine.

Ten days served plus five days earned remission at \$82 per day equals \$1,230 of the fine satisfied with \$270 remaining to satisfy the sentence.

3.11.3. Warrants of committal—interpretation

1. A sentence imposed in default of a fine payment commences on the date the warrant of committal is executed. Time served prior to this date is not credited to the sentence in default unless the inmate is not held on another matter.

2. When an inmate has more than one warrant with a fine, the amount of the fines is considered to be consecutive. Unless the time to be served in default is specified as consecutive, it is calculated as concurrent.
3. When an inmate has served the time in default and/or has paid the outstanding fine, the records department enters the amount paid or time served and faxes a copy of the warrant to the originating registry.
4. A warrant of committal usually has a time-to-pay clause. When the time-to-pay expires, the inmate is brought into custody. When time-to-pay has not expired, the inmate is in custody on another matter, and waives his time to pay, the records officer notes this information on the warrant of committal.
5. When the warrant of committal provides for a proportional payment of fine, the centre must accept payment of the fine when payment is offered.

3.11.4. Payment

1. Fines may be paid in cash, or by bank draft, money order or certified cheque. At the discretion of the inmate trust account clerk, confirmation of account solvency may be obtained at the bank from which the cheque or draft was issued.
2. An inmate must not pay another inmate's fine from funds held in trust in the centre.

3.12. Civil Orders (revised: Oct-10)

3.12.1. Sentences when no remission applies

1. A limited number of sentences have a special provision that no remission may be earned as part of the time to be satisfied.
2. When two sentences, one with remission applied, one without, are imposed concurrently, each sentence is treated independently for application of remission.

3.12.2. Family Relations Act

1. An inmate incarcerated on a breach of the *Family Relations Act*, under a warrant of committal, is entitled to earn remission.
2. If a fine is associated with this warrant, the inmate can be released from custody upon payment of the fine.

3.12.3. Contempt of court

1. There are three types of contempt of court proceedings:
 - Civil contempt arising out of a civil matter;
 - Criminal contempt arising out of a civil matter; and
 - Criminal contempt arising out of a criminal matter—refer to sections 127, 605, or 708 of the *Criminal Code*.
2. Despite the type of contempt, inmates are eligible for temporary absences, remission and parole, except as noted in section 3.12.4.

3.12.4. Exemption to remission rule

Remission does not apply to the following:

1. Sentences imposed for contempt of court when the court requires the offender to return to that court, according to section 6(1) of the *Prison and Reformatories Act*; and
2. Incarceration according to sections 14, 21, 22, or 23 of the *Family Maintenance Enforcement Act*.

3.13. Waiving Charges

3.13.1. Waiving charges within province

1. Inmates requesting to waive charges from other jurisdictions in the province to a more convenient court location are informed of requirements to:
 - Plead guilty to the charges; and
 - Fill out the waiver form.
2. The records department forwards the application to Crown counsel at the court of original jurisdiction.
3. When consent is given, the inmate is informed of the court date.
4. Charges can only be waived to a court of the same jurisdictional authority, i.e. provincial court to provincial court.

3.13.2. Waiving charges from other provinces

1. Inmates requesting to waive a charge from another province are informed of requirements to:
 - Plead guilty to the charges; and
 - Fill out the waiver form.
2. The records department forwards the form to the:
Waiver Co-ordinator
Criminal Justice Branch
PO Box 9276 Stn Prov Govt
Victoria BC V8V 1X4
FAX: (250) 387-0090
3. When consent is received, the inmate is informed of the court date.

3.14. Appeals—*Filing* (revised: Jul-05)

3.14.1. Filing an appeal

1. Inmates may appeal conviction and/or sentence within 30 days.
2. Appeal information is made available to the inmate upon admission, at the inmate's request.
3. Inmates who wish to appeal conviction and/ or sentence are directed to seek the services of legal counsel.

3.15. Federal Inmates

3.15.1. Definition of federal inmate

1. Serving an aggregate sentence of two years or more;
2. Under national parole or mandatory supervision, suspension or revocation;
3. Under immigration hold.

3.15.2. Transfer to penitentiary

1. According to section 12 of the *Corrections and Conditional Release Act*:
“In order to better enable a person who has been sentenced to penitentiary or who is required by law to be transferred to penitentiary to file an appeal or to attend to personal affairs, such a person shall not be received in a penitentiary until the expiration of fifteen days after the day on which the person was sentenced unless the person agrees to be transferred to a penitentiary before the expiration of those fifteen days.”
2. Inmates sentenced to two years or more are informed of their right to waive the appeal period.
3. Inmates wishing to waive are required to sign a waiver form.

3.15.3. Mandatory supervision without suspension

1. When an inmate admitted to a correctional centre is on mandatory supervision but not yet suspended, the person is returned to a penitentiary when a concurrent or consecutive sentence is imposed.
2. When an inmate, sentenced to a term of imprisonment in a penitentiary is sentenced to less than two years, that person serves the sentence in a penitentiary unless the previous sentence is set aside. Refer to section 743.1(2) of the *Criminal Code*.
3. When a federal inmate is remanded on a new matter, including parole suspension and warrant of committal for more than 60 days, the inmate can be sent to a federal centre to await trial.
4. The records department informs parole authorities of the Correctional Service of Canada when an inmate on mandatory supervision comes into custody.

3.15.4. Escape from a federal institution

Inmates who are recaptured following escape from a penitentiary and sent to a provincial correctional centre are returned to the penitentiary by the original warrant of committal.

3.16. Intermittent Sentences (revised: Oct-12)

3.16.1. Authority to impose intermittent sentence

When the court imposes a sentence of imprisonment that does not exceed 90 days, the court may order the sentence to be served intermittently at times specified in the order. Refer to section 732 of the *Criminal Code*.

3.16.2. Statutory limit

There is no statutory limit, except for the three-year limitation on the accompanying probation order when an intermittent sentence must be served.

3.16.3. Intermittent sentence greater than 90 days

1. Pursuant to section 732(1) of the *Criminal Code*, the court cannot impose an intermittent sentence that is greater than 90 days.
2. At certain times of the year, an intermittent sentence of three months can lawfully exceed 90 days.

3.16.4. Final day of sentence

A judge may specify that the final day of probation should correspond with the final day of sentence.

3.16.5. Intermittent sentence in addition to present sentence

1. When an inmate who is serving a sentence (straight time) returns to court on a new offence and receives an intermittent sentence for that offence, the intermittent sentence is satisfied only on the days specified in the warrant.
2. If the first sentence is satisfied before the intermittent time is satisfied, the inmate must be released and directed to report on the dates and times specified on the intermittent order.
3. The inmate may apply to the court to have the intermittent sentence served on consecutive days (straight time), pursuant to section 732(2) of the *Criminal Code*.

3.16.6. Subsequent sentence imposed

An inmate currently serving an intermittent sentence who receives another term of imprisonment (including a one-day warrant of committal or additional intermittent sentence) serves the remnant (i.e. remaining portion) of the intermittent sentence on consecutive days (i.e. straight time) unless the court orders otherwise. This is pursuant to section 732(3) of the *Criminal Code*.

3.16.7. Day of release

When the final day to be served falls on a day other than the day of admission or release stipulated in the warrant, the inmate is released at the same time of day as set out in the warrant.

3.16.8. Confirmation of identity

Prior to the inmate leaving the centre on intermittent movement, the identity is confirmed by comparing the inmate to photos and information on the Client Physical Description screen in CORNET.

3.16.9. Fail to report

The following procedures are followed when an intermittent server fails to report as directed on the warrant of committal.

1. The records supervisor or designate submits a Report to Crown Counsel (RCC) to the appropriate agency for an offence of unlawfully at large (UAL) pursuant to section 145(1)(b) of the *Criminal Code*. Prior to submitting the RCC, the records supervisor or the designate makes reasonable efforts to determine that the fail to report is a wilful act of non-compliance.
2. The RCC is completed with as much accurate detail as possible. Crown counsel may have requirements and procedures for filing a UAL report. The following documents are included:
 - Copy of intermittent warrant of committal;
 - Current CORNET Client History report when unavailable in the court file; and
 - Copies of documentary evidence (e.g. the CORNET reporting schedule signed by the inmate).
3. In cases of violence, sexual offences or spousal assault (K files), reasonable efforts are made to inform the victim that the inmate has failed to report to the centre as directed.
4. Crown counsel is notified each time the inmate fails to report as directed. Consecutive weekends missed may not require a new RCC to be submitted. However, if the UAL charge is no longer before the court (i.e. the matter has concluded), then a subsequent RCC is required.
5. Intermittent inmates are concurrently on probation orders for the term of their custody orders. When the intermittent inmate is on a supervised probation order (i.e. condition to report to a probation officer), the probation officer is notified of the inmate's fail to report.

6. The warrant of committal remains active and the inmate is advised to continue serving the sentence, as directed, until it is satisfied. Satisfying the warrant of committal does not void charges of U.A.L. related to failures to report.

3.16.10. Reporting late or intoxicated

Intermittent inmates who do not report on time, or report under the influence of an intoxicating substance, may be charged under the *Correction Act Regulation*.

3.17. Procedure to Procure Attendance of an Inmate (revised: Jul-11)

3.17.1. Legislative authority

Section 527 of the *Criminal Code* sets out procedures for bringing inmates before the courts. It includes preliminary inquiries, trials, and attendance to give evidence.

3.17.2. Inmates awaiting trial in British Columbia

If an inmate awaiting trial in a British Columbia correctional centre is required to attend court in another province, upon receipt of an order issued under section 527(1) of the *Criminal Code*, the records officer:

1. Confirms that the order includes language, which provides for the return of the inmate to a B.C. correctional centre upon the conclusion of the out-of-province matters. In the event the order does not contain such language, Crown counsel in the requesting province is immediately notified and an amended order is requested.
2. When the inmate is awaiting trial, advises Crown counsel in the court in which the inmate is to appear to obtain permission to send the inmate out of province;
3. When permission is granted, forwards a copy of the awaiting trial document with the escorting officers to ensure the inmate's prompt return; and
4. Continues to register the inmate on the correctional centre count. Regular contact is made to ensure that the inmate is returned as soon as court in the other jurisdiction is conducted. The records officer verifies the date of the inmate's court hearing in British Columbia and obtains consent for the transfer in writing from Crown counsel in B.C.

3.17.3. Inmates serving

1. If an inmate has been sentenced and is serving a sentence in a British Columbia correctional centre, the records officer forwards a copy of the inmate's sentence calculation to Crown counsel in the province requesting the transfer of the inmate to attend court.
2. The records officer confirms the need to transfer jurisdiction of the B.C. sentenced document to the requesting province or ensures appropriate steps are followed—as outlined in section 3.17.2(1)—to make certain the inmate is returned to a B.C. correctional centre upon the conclusion of his/her out-of-province court matters.

3.17.4. Coroner's order for release

1. When an inmate serving a sentence is required to attend a coroner's inquest as a witness, the coroner is empowered by the *Coroners Act* and the *Offence Act*, to sign an order for the release of a subpoenaed inmate to be escorted to an inquest and returned.
2. Failing the availability of a coroner to sign the order under the *Offence Act*, a justice of the peace may sign the order.

3.17.5. Notification requirements

The records officer notifies the warden or designate prior to an inmate being transferred to another province or territory for any reason as outlined in 3.17. The warden or designate notifies the program analyst (sentence management).

3.18. Remand When Offence Committed in Another Jurisdiction (revised: Jan-09)

3.18.1. Order for accused to appear or be taken before justice where offence is committed

Where an accused is charged with an offence alleged to have been committed out of the jurisdiction in which the charge has been laid, the justice may order the accused to appear. If the accused is in custody, a warrant in form 15 may be issued. This warrant conveys the accused before a justice having jurisdiction in the place where the offence is alleged to have been committed.

3.18.2. Reasons for change of venue

Following application of the prosecutor or the accused, the court may order the trial to be held in a different location, according to section 599(1) of the *Criminal Code*.

3.18.3. Authority to remove

An order made under section 599 of the *Criminal Code* has authority to convey the accused to a prison in the territorial division where the trial is ordered to be held, according to section 600.

3.18.4. Notification requirements

The records officer notifies the warden or designate prior to an inmate being transferred to another province or territory for any reason as outlined in 3.18. The warden or designate notifies the program analyst (sentence management).

3.19. Bail Reviews

3.19.1. Bail review

1. According to section 525 of the *Criminal Code*, a bail review is requested when a remanded inmate is:
 - Charged with an offence not listed in section 469 of the *Criminal Code*;
 - Not required to be detained in custody for another matter; and
 - Waiting for a trial that has not started within 90 days (for indictable offences) or 30 days (for summary or dual status offences) from the date the inmate was remanded, according to sections 503, 521, or 524 of the *Criminal Code*.
2. After the 90 or 30-day period, the correctional centre applies to the court for a decision about releasing the inmate from custody.
3. The records officer forwards a CORNET bail review Report to Crown Counsel of the originating provincial court in addition to the Supreme Court that has jurisdiction, prior to the 90 or 30-day expiry period.

3.19.2. Time served prior to being release to bail

When an accused is released on bail, and returned from bail on the same charge (according to either section 521 or section 524 of the *Criminal Code*), the period prior to being released on bail is not included in the 30 or 90-day period.

3.19.3. Time spent on bail pending an appeal

1. The time spent on an appeal bail, after the sentence has been imposed, does not count towards the sentence.
2. Credit is given only for the day of discharge and the day re-admitted to custody, which both count as full days served.

3.19.4. Court releases

1. When an inmate is released at court, the records officer ensures that:
 - Warrants of remand or committal providing legal authority to hold the inmate have been addressed;
 - Sheriffs/ police delivering the inmate to the court do not obtain custody of the inmate unless release documents are given to the records officer:

- Form 39—order for discharge of a person in custody; or
 - Court clearance receipt.
2. When the court phones for a clearance for release, the records officer checks CORNET and fully reviews the warrant file before a release is authorized. Special note is made of inmates:
- Serving a sentence, and awaiting trial;
 - Under an immigration hold;
 - Under an extradition order; and
 - Whose charges have gone from a provincial court to a higher court. (In such cases, the court information number has usually been changed);
3. The Warrants screens of the CORNET system are accessed to discover any holds. The warrant file must still be manually checked.

3.19.5. Bail review for each offence

An inmate is entitled to a bail review for each offence awaiting trial unless in custody by consent.

3.19.6. Number of bail reviews

An inmate detained because of failing to meet conditions set by an order for interim release is not entitled to another 525 *Criminal Code* hearing for the same offence.

3.20. Discharge (revised: Aug-08)

3.20.1. Release from custody

An inmate is only released from custody by:

1. An order of a court of competent jurisdiction; or
2. Due process of law.

3.20.2. Authority for release

Authority for releasing inmates from custody includes:

1. Expiration of sentence, taking into consideration earned remission;
2. Payment of fine;
3. Order releasing an inmate from custody:
 - Bail;
 - Release on recognizance;
 - Acquittal;
 - Undertaking to appear;
 - Appeal bail;
 - Parole Board of Canada;
 - Temporary absence;
 - Transfer document;
 - Executive clemency; and
 - Habeas corpus.

3.20.3. Accuracy of holding documents

When there are concerns regarding the accuracy of holding documents that involve other branches of the Ministry of Justice that cannot be efficiently resolved at the local level, they are directed to the program analyst of the Adult Custody Division.

3.20.4. Releasing time

Release can take place at any time during the day.

3.20.5. Expiration of sentence

Inmate releases due to expiry of sentence occur on the actual date of sentence expiry, as indicated on the warrant and determined by sentence calculation.

3.20.6. Review prior to release

1. Prior to releasing an inmate (including intermittents), the releasing officer conducts a review of the warrant file to ensure that no holding document exists. Sources of information include CORNET, JUSTIN, CPIC, warrants and immigration holds.
2. This process is used with any form of release, including individuals on remand status and serving intermittent sentences.

3.20.7. Pre-release checklist

A pre-release checklist is completed and placed on the master file for each inmate prior to release. The items include verification of:

- Review of master file warrant information;
- Release type—warrant expiry, release to other jurisdiction, intermittent sentence, release to bail, release to court, release to parole;
- K file victim notification;
- Referral notice to probation officer;
- Release entry in CORNET and daily diary;
- Personal effects are accounted for; and
- JUSTIN for outstanding charges.

3.20.8. Travel warrants

1. Authority for travel warrants is found in section 7 of the [*Correction Act Regulation*](#).
2. Upon discharge of a sentenced inmate, the warden or designate provides the inmate with a travel warrant to:
 - The place where the inmate was convicted; or

- Another place requested by the inmate, that the warden or designate considers reasonable or necessary for the inmate to go within the province.

3.20.9. Illness at time of discharge

1. If a health care professional believes an inmate is suffering from an acute or dangerous illness at the time of discharge, the warden must be reasonably satisfied that a treatment plan is in place in the community.
2. Refer to section 39(3) of the *Correction Act Regulation*.

3.20.10. Return of personal effects

Property belonging to an inmate and held at the correctional centre is returned to and signed for by the inmate upon discharge.

3.20.11. Confirmation of identity

Prior to the inmate being discharged, the identity is confirmed by referencing photos and information on the CORNET Client Physical Description screen.

3.20.12. Probation

When an inmate has an outstanding probation order on the expiration of the sentence, the records officer directs the inmate to the probation office, as outlined in section 4.15.

3.20.13. Notification to police

1. The RCMP or municipal police force is notified, by form 7807, of the release of an offender who, in relation to current offence or period of custody, meets the following criteria:
 - K file;
 - Mentally disordered immediately prior to or at the time of release;
 - Suicidal immediately prior to or at the time of release; or
 - Issued threats against others prior to release.
2. High-risk cases, as determined by RNA, when the offender has a history—including current offence—of:
 - Sex offences; or
 - Violence.

3.20.14. At risk of suicide

1. An inmate who is considered a suicide risk is referred upon discharge to a family physician, mental health clinic, forensic psychiatric unit or other resource.
2. The inmate is advised that the telephone number of the nearest crisis centre is on the inside front cover of the telephone directory.

3.20.15. Referral to social services

Each centre establishes a process for referring inmates requiring financial assistance to social services. This is in accordance with protocols established between the Corrections Branch and the Ministry of Human Resources.

3.21. Sentence Administration—Youth (revised: Oct-12)

3.21.1. Legislative authority

Federal and provincial statutes govern activities of personnel who operate within the youth justice system. These include the:

- *Youth Criminal Justice Act* (federal). Applies to all youth alleged to have committed a *Criminal Code* or other federal statute offence;
- *Criminal Code*. Applies to youth, except when the provisions are inconsistent with or excluded by the *Youth Criminal Justice Act*;
- *Youth Justice Act* (provincial). Provides jurisdiction to deal with provincial statute offences and municipal bylaw infractions committed by youth. It is the youth equivalent to the *Correction Act*; and
- *Young Offenders Act* (federal). Limited and specific sections of this act (e.g. section 24.1) continue to apply, despite proclamation of the *Youth Criminal Justice Act*.

3.21.2. Definition of youth

A youth is a person who is 12 years of age or older but less than 18 years of age.

3.21.3. Delegation of authority

1. The *Youth Criminal Justice Act* creates responsibilities and provides authority for the provincial director to carry out duties specified in the legislation.
2. To address circumstances when custody of a youth is transferred to the Corrections Branch, the senior executive director, Ministry of Children and Family Development, delegates provincial director authority and responsibility under the *Youth Criminal Justice Act* to specified employees of the Ministry of Justice. Refer to the *Delegation of Authority Under the Youth Criminal Justice Act*.

3.21.4. Memorandum of understanding

The *Memorandum of Understanding Regarding the Supervision of Offenders* with the Ministry of Children and Family Development defines circumstances under which adult corrections assumes custodial responsibility for a youth serving youth or adult sentences (i.e. dual status).

3.21.5. Forms

1. Forms beginning with the prefix CFO identified throughout this chapter may be accessed in ICON under the header Youth Supervision Forms.
2. Forms beginning with the prefix YTH are court forms that can be accessed through Court Services Branch.

3.21.6. Consultation prior to receiving a youth in a correctional centre

Article 11 of the Memorandum of Understanding Regarding the Supervision of Offenders between the Ministry of Children and Family Development and the Ministry of Justice states that placement of a youth or review of placement of a youth requires consultation between both ministries prior to transfer of the youth to an adult provincial correctional centre.

3.21.7. Transfer to adult custody (remand only)

1. A remanded youth is held at an adult provincial correctional centre when one of the following applies:
 - The youth justice court makes an order under section 30(3) of the *Youth Criminal Justice Act*;
 - Following application by the Ministry of Children and Family Development provincial director because the youth has turned 18 years old, the youth justice court makes an order under section 30(4) of the *Youth Criminal Justice Act*; or
 - The youth is 20 years of age or older at the time the warrant of remand was issued under section 30(5) of the *Youth Criminal Justice Act*.
2. A youth on an existing youth remand who turns 20 while in a youth custody centre is transferred to an adult provincial correctional centre unless there are exceptional circumstances requiring continued placement in a youth custody centre.
3. A youth who is subject to both youth and adult remand warrants is remanded at an adult provincial correctional centre unless the safety of the youth and/ or others would be endangered at an adult provincial correctional centre.

3.21.8. Concurrent youth sentence and adult remand order

In cases involving a youth who is 18 or 19 years of age and subject to a concurrent youth sentence and an adult remand order, the youth sentence takes precedence. The youth is placed in a youth custody centre unless there are exceptional circumstances where this is not in the youth's and/ or public interest.

3.21.9. Youth Criminal Justice Act sentencing provisions

Section 42(2) of the *Youth Criminal Justice Act (YCJA)* contains the sentencing provisions applicable to youth.

3.21.10. Custody and supervision in the community (CCS) (section 42(2)(n), YCJA)

1. The youth justice court may sentence a youth to custody and supervision in the community pursuant to section 42(2)(n) of the *Youth Criminal Justice Act*.
2. A youth sentenced to custody and supervision in the community automatically serves two-thirds of the sentence in custody and the last one-third of the sentence under supervision in the community with conditions. (Note: There is the potential for early release from custody following a court review or by way of reintegration leave.)
3. A youth released to supervision in the community following custody is subject to mandatory conditions as set out in the *Youth Criminal Justice Act*. Mandatory conditions automatically populate in CORNET when records staff enter the order. Records staff refer to section 97(1) of the *Youth Criminal Justice Act* for assistance when CORNET is inoperative.
4. In addition to mandatory conditions, wardens—including deputy wardens and assistant deputy wardens—have discretion to impose optional conditions pursuant to section 97(2) of the *Youth Criminal Justice Act*. This is done in consultation with the supervising probation officer.
5. Violation of conditions while under supervision in the community may result in the youth being returned to custody to serve a portion or the remainder of the supervision period in custody.

3.21.11. Setting optional conditions of supervision in the community

1. Records officers contact the supervising probation officer at least one month prior to the youth's release date to begin the process of setting optional conditions in community supervision. In cases when the custody portion of the sentence is too short to provide for this timeline, contact is made as soon as possible.
2. When a youth is released early on a reintegration leave or as a result of a review, the optional conditions are set at the time of the youth's early release from custody.
3. Records officers obtain the optional conditions from the supervising probation officer and ensure the following:
 - All conditions of the order are reviewed with the youth;
 - Both the reviewing officer and the youth sign the original order;
 - The order is entered in CORNET at least five days prior to release;

- The youth is given a copy of the order;
- A copy of the order is faxed to the police for posting on CPIC;
- A copy of the order is placed on the warrant file;
- An electronic referral in CORNET is created directing the youth to report to the probation office that is indicated in CORNET; and
- The original order is faxed and mailed to the community probation officer responsible for supervising the youth.

3.21.12. Custody and conditional supervision (CSU) (sections 42(2)(q) and 42(2)(o), YCJA)

1. Section 42(2)(q) of the *Youth Criminal Justice Act (YCJA)* provides the court with distinct sentencing provisions for youth found guilty of first or second-degree murder.
2. Section 42(2)(o), *YCJA* provides the court the authority to sentence a youth to custody and conditional supervision when the youth has been found guilty of manslaughter, attempted murder or aggravated sexual assault.
3. The youth justice court specifies the length of the custody and conditional supervision portions of these sentences and determine the date the youth is to be released to conditional supervision (i.e. unlike sentences under section 42(2)(n), *YCJA*, the lengths are not automatically 2/3 custody and 1/3 community supervision).
4. The court imposes both the mandatory and the optional conditions of these orders (i.e. unlike orders made under section 42(2)(n) of the *YCJA* when the warden has discretion to set the optional conditions).
5. Records officers contact the court registry and the supervising probation officer at least three months prior to the youth's expected release date. This contact is made to ensure youth are brought before the court at least one month before their release date when they will receive their court imposed optional conditions according to section 105(1) of the *YCJA*.
6. Once the optional conditions are set by the court, records officers follow the steps outlined in section 3.21.11(2) for the responsibilities regarding optional conditions.

3.21.13. Deferred custody and supervision (DCSO) (section 42(2)(p), YCJA)

1. Section 42(2)(p) of the *Youth Criminal Justice Act (YCJA)* provides the court with the option to sentence a youth to a deferred custody and supervision order (DCSO). Although this sentence is technically a custody sentence, the youth serves the sentence in the community under conditional supervision.

2. The maximum length of a DCSO is six months with mandatory and optional conditions set by the court according to sections 105(2) and 105(3) of the *YCJA*.
3. Violation of conditions while under supervision for a deferred custody and supervision order may result in the youth being returned to custody to serve a portion or the remainder of the supervision period in custody.

**3.21.14. Delayed custody and supervision and divided probation/intensive support and supervision program orders (ISSP)
(sections 42(12) and 56(6), *YCJA*)**

1. Section 42(12) of the *Youth Criminal Justice Act* provides the youth justice court the option of sentencing a youth to custody and supervision in the community with a delayed custody start date.
2. Section 56(6) of the *Youth Criminal Justice Act* provides that, when the start date of the custody and supervision is delayed, the court may impose a divided period of probation or an intensive support and supervision program order (ISSP). The first portion commences on the date of sentencing until the start of custody, and the remainder upon completion of the custody portion (i.e. the youth serves a period of probation or ISSP that starts on the day of sentencing, then the youth serves the custody and supervision portion of the sentence followed by the remaining outstanding portion of the probation or ISSP order).
3. In the event a youth fails to report to the custody centre on the commencement date of the custody and supervision order, records officers contact the police and provide a copy of the warrant of committal.
4. Records officers view and transfer the warrant of committal for delayed custody and community supervision prior to admitting the youth. The effective date of the warrant is in the future; and, the institutional status is “pending” in CORNET.
5. Records officers ensure procedures relating to the optional conditions of the supervision order are followed by referring to section 3.21.11 of Adult Custody Policy.

**3.21.15. Intensive rehabilitative custody and supervision order (IRCS)
(section 42(2)(r), *YCJA*)**

1. Section 42(2)(r) of the *Youth Criminal Justice Act* gives the youth justice court authority to sentence a youth to an order of intensive rehabilitative custody and supervision (IRCS). This sentencing option is focused on a defined category of youth who have committed a serious violent offence.
2. IRCS sentences qualify for specialized case-specific treatment and rehabilitative services through a funding agreement between the Ministry of Children and Family Development and the federal government to a yearly maximum of \$100,000 per case.
3. Programs and services eligible for IRCS funding during the custody portion of an IRCS sentence include:

- Treatment programs designed for particular types of offenders, such as sexual or violent offenders;
 - Psychological/ psychiatric services;
 - Specialized education programs;
 - Social skills programs;
 - Substance abuse counselling and assessments;
 - Cognitive/ behavioural programs;
 - Anger management therapy;
 - Cultural or female-specific programming or counselling;
 - Pastoral counselling; and
 - Vocational and employment training programs.
4. Refer to the [*Memorandum of Understanding Regarding the Supervision of Offenders*](#) for information relating to the transfer of IRCS cases to an adult provincial correctional centre.

3.21.16. Serious violent offences (SVO) – supplementary federal funding

1. The federal government provides case-specific funding for rehabilitative services/ programs for a limited number of youth who have committed a serious violent offence (SVO).
2. Eligibility for SVO funding occurs when a youth has been found guilty of and sentenced for a violent offence, during the commission of which the youth caused or attempted to cause serious bodily harm, and for which an adult would be liable for imprisonment for a term of 14 years or more.
3. Cases are not eligible for special SVO funding when an offence would have qualified the youth for an IRCS sentence pursuant to section 42(2)(r) of the *YCJA* (i.e. murder, attempt murder, manslaughter, aggravated sexual assault), but the court did not impose an IRCS sentence.
4. Classification officers identify potential cases eligible for special SVO funding to the Adult Custody Division policy and program analyst (sentence management).

3.21.17. Youth sentence served in provincial adult correctional centre (sections 89, 92, and 93, YCJA)

A youth with sentenced documents is authorized to serve the sentence within an adult provincial correctional centre when:

- The youth is 20 years or older at the time of receiving a youth custody sentence under section 89(1) of the *Youth Criminal Justice Act*;
- The youth justice court has made an order (following application by the Ministry of Children and Family Development provincial director) authorizing the provincial director to transfer a youth who has reached the age of 18 and is subject to a custodial youth sentence, to an adult provincial correctional centre according to section 92(1) of the *Youth Criminal Justice Act*;
- A youth attains the age of twenty years as per section 93(1) of the *Youth Criminal Justice Act*, unless there are exceptional circumstances requiring continued placement in a youth custody centre and the provincial director of the youth centre expressly orders continued placement in a youth custody centre; or
- A youth has been committed to custody under a provincial statute violation and has reached 18 years of age.

3.21.18. Remission calculation for youth sentences imposed under the YCJA

Youth serving a youth sentence in an adult provincial correctional centre under section 89(3), 92(3) and 93(3) of the *Youth Criminal Justice Act* are not eligible to earn remission pursuant to section 6(7.2) of the *Prisons and Reformatories Act* and are released on the date when the custody portion of the YCJA sentence is completed.

3.21.19. Parole eligibility dates for youth sentences

1. A youth serving a youth sentence in an adult provincial correctional centre may be eligible for parole under sections 89(3), 92(3) and 93(3) of the *Youth Criminal Justice Act* (YCJA) and sections 99, 119, 120 and 128 of the *Corrections and Conditional Release Act* (CCRA).
2. Parole eligibility dates for youth serving their sentence in a provincial adult correctional centre under section 89, 92, or 93 of the YCJA are determined according to the entire period of custody and supervision of the YCJA sentence.
3. The Parole Board of Canada is not required to review parole applications for youth serving YCJA sentences when the entire period of custody and supervision is less than six months.
4. The Parole Board of Canada's jurisdiction to grant, terminate or revoke parole and supervise the youth expires at the end of the entire period of custody and supervision of the YCJA sentence.

5. Records officers contact the Parole Board of Canada to obtain parole eligibility dates for youth who apply for parole.

3.21.20. Breach of supervision of the community orders

1. A warrant of apprehension for suspension of supervision in the community/ conditional supervision and order for remand is issued by Burnaby Youth Custody Services when a youth breaches the community portion of a sentence.
2. When the youth is apprehended and admitted into custody due to a breach of the supervision portion of the sentence, records staff ensure the following occurs in CORNET:
 - Admit the youth with the admit reason Breach of Community/Conditional Supervision;
 - Apply any Dead Time incurred on the order while the youth was AWOL; and
 - Reactivate the Dormant warrant portion of the youth sentence (e.g. CCS or CSU) by overriding the existing release to community (RTC) date in CORNET to the amended final warrant expiry date (FWED).

3.21.21. Provincial director review

1. Upon apprehension and detention, a provincial director review is conducted within 48 hours to determine whether the suspension should be cancelled and the youth released, or whether the matter needs to be referred to a youth justice court for review pursuant to section 108 of the *Youth Criminal Justice Act*. The local manager of the supervising community corrections office is the delegated authority to conduct the review (i.e. signs off), while the probation officer holding case management responsibility initiates and completes the review for signature.
2. In the event the review cannot occur within 48 hours (i.e. the youth is arrested on a weekend or holiday), the warden, deputy warden, or assistant deputy warden is the delegated authority to complete the review. The supervising probation officer is contacted as soon as possible to convey the results of the review, and if necessary, to obtain any relevant documentation needed for a hearing.
3. Using the [*provincial director review form*](#) (CF0255), the warden, deputy warden, or assistant deputy warden interviews or reviews:
 - The youth;
 - The youth's parent/guardian;
 - The apprehending police officer (when appropriate);
 - The order for supervision in the community;

- Other relevant information; and
 - Any new offences the youth is alleged to have committed.
4. When the finding of the review results in a decision to release the youth to the original order, the delegated authority ensures that a copy of the provincial director review form is provided to the Burnaby Youth Custody Services Centre, supervising probation office, and originating police agency.
 5. When the review results in a decision to refer the case to the youth justice court for a hearing under section 103 (supervision in the community order) or section 109 (conditional supervision order) of the *Youth Criminal Justice Act*, the delegated authority:
 - Completes an application to a youth justice court judge (YTH 080) and specifies that a review under the applicable section of the YCJA is required. The court clerk sets a court date and notifies the probation officer and Crown counsel; and
 - Faxes Crown counsel the following documents:
 - Application for warrant of suspension of supervision in the community/conditional supervision and order for remand (CF0253) that was requested by the supervising probation officer,
 - Warrant issued by the Burnaby Youth Custody Services (CF0254),
 - *Provincial director review form* (CF0255),
 - *Witness list* (CF0256), and
 - Supervision in the community order of conditional supervision order.
 6. If the case is referred to the youth justice court, the court may order the youth to serve the remainder of the order in custody as if it were a custody and supervision order.
 7. If the court orders the youth to serve the remainder of the supervision order in custody, the records officer contacts the Adult Custody Division policy and program analyst (sentence management) to determine the appropriate remission calculations and subsequent CORNET entries.

3.21.22. Annual reviews – mandatory and optional (section 94, YCJA)

1. Youth custodial sentences that exceed one year are subject to mandatory annual reviews.
2. Youth custodial sentences that are less than one year may be brought to the youth justice court for review upon the request of:
 - The provincial director;

- The youth;
 - The youth's parents; or
 - Crown counsel.
3. Both mandatory and optional court reviews of open and secure custodial sentences are conducted according to section 94 of the *Youth Criminal Justice Act*. Upon review, the youth justice court may:
- Confirm the sentence;
 - Release the youth from custody early; or
 - Convert the remaining portion of the youth sentence to another type of youth sentence.
4. To prepare for reviews, the records supervisor ensures that:
- The youth is informed of the right to mandatory and/ or optional court reviews and their prospective dates;
 - A system of identifying key dates and bringing forward files is established so that preparation for the review begins one month prior to the review date;
 - The court is notified to ensure a court date for review is fixed. Notification to the court is in writing with a copy to the supervising probation officer;
 - Once a court date is fixed, a request for a judge's order for attendance form (*request for spring order*—CF0228) is sent to Crown counsel. (Note: The form is obtained by contacting the youth custody centre.)
 - *Notice of application for review form* (CF0245) to the youth, parent, and Crown counsel is provided personally by certified mail, or by courier at least five days prior to the hearing date. (Note: The form is obtained by contacting the youth custody centre);
 - The youth is advised of the right to counsel. If the youth expresses intent to exercise this right, the court is notified;
 - There is liaison with the supervising probation officer to provide information pertinent to the preparation of their progress report; and
 - There is a liaison with the sheriffs to provide escort if needed.

3.21.23. Congruent youth custody and adult custody sentences (section 743.5, Criminal Code)

1. Pursuant to section 743.5 of the *Criminal Code*, a transfer of jurisdiction occurs for a youth who is subject to a custodial sentence under the *Youth Criminal Justice Act* and who receives an additional custodial sentence in adult court, or vice versa.
2. When a youth is serving a custodial sentence under the YCJA and receives a subsequent adult custody sentence, records officers convert the remaining portion of the youth sentence (both the custody and supervision portions) to an adult sentence (i.e. adult warrant of committal in CORNET). The effective date of the converted sentence is the date the youth received the adult sentence. In the event the youth sentence is received after the adult custody sentence, records officers enter the entire youth sentence as an adult sentence and ensure appropriate comments are reflected to indicate the application of 743.5 of the *Criminal Code*.
3. Records officers convert youth sentences when a one day or greater adult warrant of committal is received. No conversion is required for a sentence of time served or for a conditional sentence order (unless the conditional sentence order has been suspended or terminated).
4. Upon imposition of an adult sentence of imprisonment, any existing sentences are converted into one sentence of imprisonment under section 139 of the *Corrections and Conditional Release Act*.
5. Remission is credited to the portion of the youth sentence that was served in a youth custody centre prior to the conversion as per section 6(7.1) of the *Prison and Reformatories Act*. Records officers contact the Corrections Branch analyst (sentence management) to determine the appropriate remission calculations and CORNET entries.
6. Youth probation orders and intensive support and supervision orders are not converted to custody time.
7. As outlined in section 3.9 of Adult Custody Policy, a youth serving a sentence that has been converted as a result of section 743.5 of the *Criminal Code* has their performance reviewed by remission awards assessors in accordance with section 32 of the *Correction Act Regulation*.
8. Parole eligibility dates are calculated based on a regular adult sentence. Refer to chapter 6 of Adult Custody Policy.

3.21.24. Transfer to penitentiary - converted youth sentence (section 743.5, Criminal Code)

When a youth sentence is converted to an adult sentence and the remaining portion of the youth sentence or the merged sentence is two years or more, the youth is subject to transfer to a penitentiary.

4. Case Management

4.1. Case Management—General (revised: Mar-09)

4.1.1. Definition

1. Case management encompasses initiatives that ensure inmates use their time in custody effectively during a sentence and while remanded.
2. Case management includes:
 - Institutional placement;
 - Initial classification;
 - Risks/needs assessment (refer to section 4.6);
 - Programs and activities;
 - Offender programs;
 - Sentence planning;
 - Reclassification;
 - Transfer;
 - Community re-entry;
 - File maintenance; and
 - Information sharing.
3. Case management requires all correctional staff to connect inmates with available programs and activities. This ensures that inmates are provided the opportunity to make the best use of their incarceration.

4.1.2. Institutional placement—cell assignment

Placement of an inmate within an institution is based on safety, security, bedload capacity and inmate profiles.

4.1.3. Initial classification

1. Initial classification determines security level, supervision, control and programming to ensure that the intent of sentence, opportunities for constructive use of time, reparation, community satisfaction and public safety are adequately addressed.
2. Initial classification occurs as soon as possible after sentenced admission. It results in a report that provides information about the inmate, indicates the initial classification, and provides suggestions for planning.
3. Inmates admitted on warrants of remand are reviewed for risk assessment and direction with respect to placement and programming.

4.1.4. Responsibility

1. The warden or designate assigns one or more experienced correctional staff to provide co-ordination and supervision to the case management process.
2. Sentence planning involves assisting inmates to make effective use of their time of incarceration.
3. All correctional staff have the responsibility to be involved in sentence planning with inmates. Planning includes:
 - Advising on resources, activities and programs;
 - Advising on life skills and consequences of behaviour or decisions; and
 - Acting as a resource to inmates in dealing with personal development and case management.
4. Each sentenced inmate is assigned to an individual case manager, when practical, within one week of arrival at the centre. The case manager ensures that the sentence planning process is effectively carried out for that inmate.
5. Sentence planning may be provided for remanded inmates and inmates detained on immigration holds taking into account resources, bedload concerns, length of remand and willingness of the inmate.
6. The case manager:
 - Identifies programs, activities and opportunities available to the inmate within the Corrections Branch and in the community;
 - Helps the inmate to establish goals; and
 - Gives advice regarding procedures, forms, and key dates for community re-entry.

7. Regular entries are made by the case manager in the CORNET Client Log (i.e. a minimum of one entry every four shifts). The warden or designate reviews Client Log comments monthly.
8. The warden or designate ensures that each inmate is informed about activities, programs and opportunities. The inmate is responsible for accessing them.
9. Within three weeks of sentence commencement, a case management plan is developed in consultation with each inmate who is sentenced to 90 days or more. The plan is provided to each inmate.
10. An inmate needs assessment (INA) informs each case management plan. Changes to the plan coincide with the completion of an INA, which is reviewed and updated every six months.

4.1.5. Case management strategies

1. Wardens or designates issue a statement of case management strategies and objectives for their centre.
2. The statement includes:
 - Description of activities and programs in the centre;
 - Roles and responsibilities of staff in the case management process; and
 - Standards and procedures to monitor case management to ensure that each inmate's time in custody is effectively managed.
3. The statement is reviewed annually and adjusted as required.

4.2. Inmate Classification—Introduction (revised: Mar-09)

4.2.1. Designation and authority

1. The assistant deputy minister delegates classification of inmates to the provincial director, who assigns responsibility for classification and sentence planning to wardens by letter.
2. With this designated responsibility, wardens are given the legal authority to move inmates from one correctional centre to another.

4.2.2. Organization

1. Classification services are available at every correctional centre that receives newly sentenced offenders.
2. Classification officers are directly supervised by the assistant deputy warden of the sentence management unit or assistant deputy warden responsible for sentence management functions within a correctional centre.

4.2.3. Training and certification

1. Before assuming classification and sentence planning responsibilities, correctional officers complete Corrections Branch approved certification training.
2. The director of the Corrections and Community Justice Division (JIBC) issues certification when completion of the required training is confirmed.
3. Only certified correctional officers may perform the role of classification officers.

4.2.4. Letter of designation

1. Only a manager, or correctional supervisor with a letter of designation from the warden, is authorized to approve a classification assessment. This letter also gives classification officers the authority to move inmates from one correctional centre to another.
2. Designation letters must be signed and dated.

4.2.5. Responsibilities of classification officers

Classification officers' responsibilities for classification and sentence planning include:

1. Assessing and classifying inmates upon:
 - Admission to a correctional centre;
 - Transfer from one correctional centre to another; and

- Specified intervals as determined by each centre.
2. Internal classification.
 3. Informing correctional centres about arriving inmates and providing sentence plans. This includes suggestions for case management and reclassification.
 4. Making recommendations to the warden with respect to inmate transfer applications under international, federal-provincial, and inter-provincial agreements for inmate transfers.

4.2.6. Direct entry

1. When correctional centres are a considerable distance from a regional correctional centre, the provincial director, Adult Custody Division, may assign responsibility for classification and sentence planning to the warden.
2. This includes placement directly from court to the correctional centre, or from the correctional centre to the nearest regional correctional centre.

4.2.7. Internal placement

The warden ensures that internal classification procedures are developed and implemented within their centres.

4.2.8. Classification objectives

Inmate classification has the following objectives:

1. Protect society and correctional centre staff and inmates against additional offences by inmates.
2. Assign each inmate to lowest level of security that the individual case permits.
3. Give inmates access to health care, education, work activities, social programs and recreational programs to meet their case management goals, consistent with risk/needs assessment as outlined in section 4.6.
4. Provide opportunities for self-improvement to inmates who meet criteria for special programs.
5. Satisfy the intent of the inmate's sentence.

4.3. Security Alerts (*revised: Mar-09*)

4.3.1. Authority

The warden or designate establishes protocol for entry of alerts in CORNET.

4.3.2. Criteria

Inmates are identified in one or more security alert categories by the following criteria:

- Escape risk;
- Violent;
- Suicidal;
- Mentally unstable;
- K file offender; and
- Protective custody.

4.3.3. Escape risk

The alert “escape risk” is applied to an inmate who:

4.3.4. Violent

The alert “violent” is applied to an inmate who:

4.3.5. Suicide

The alert “suicide” is applied to an inmate who has:

4.3.6. Mentally unstable

The “mental” alert is applied to inmates who:

4.3.7. K file offender

Refer to discussion and identification of K file offenders in section 4.12.

4.3.8. Protective custody

1. The alert “protective custody” (PC) is applied to an inmate who:

- Requests or agrees with the designation;
- Is in custody on sex-related offences;

- Is a past or present employee in the criminal justice system;
 - Is a known informant; and/or
 - Due to special physical or mental needs, would be at risk in the general population.
2. Inmates returning to custody on subsequent sentences may, subject to the foregoing criteria, request a review of protective custody alert/classification.
 3. Despite an inmate's request for a protective custody alert/classification review, the overriding factor that determines classification or assignment of this alert is inmate safety, as determined by classification officers or staff authorized to apply alerts.
 4. The Corrections Branch retains the right to segregate and/or apply designated alerts or classifications to inmates when criminal justice information suggests that life or safety is in danger.

4.3.9. Special alerts

1. CORNET enables staff to enter the following special alerts:
 - Contact concerns;
 - Double-bunking risks;
 - No contact orders (community orders);
 - Risk of self-harm;
 - Medication requirements;
 - Current sex offender;
 - Peer victimization; and
 - Other.
2. These alerts are entered in CORNET when staff identify a category relating in any way to an inmate, and/or there is a potential risk to the inmate if circumstances change.

4.3.10. Amending alerts

1. At any time during the remanded or sentenced inmate's time in custody, a warden or designate may apply the criteria outlined in section 4.3.2 to determine whether a security alert is applied or removed.

2. Prior to a security alert expiring or being deactivated, all information is reviewed to determine whether it is still required. If the alert is no longer valid, staff deactivate the alert on CORNET. Only active alerts display on custodial inmates in CORNET. Deactivated alerts are accessible when staff need to access them.
3. When an alert is deactivated, a comment is entered in the CORNET Client Log detailing reasons for expiration.

4.3.11. Review on transfer

1. All inmate files are reviewed by the warden or designate, prior to the inmate's transfer. This determines that the transfer is consistent with the legal status of the prisoner and consistent with the security alert status.
2. The officer responsible for transfers must ensure that transporting officers are aware of all alerts listed in CORNET.
3. Upon transfer, the warden or designate of the receiving centre reviews security alerts to determine if they are relevant at the receiving centre.

4.4. Classification Procedure (revised: Aug-10)

This section outlines general classification procedures that apply to the prescribed classification interview and inmate assessment (IA). These procedures are followed to determine the level of security, supervision and control for each inmate.

4.4.1. Documentation

Classification officers obtain information to assist in classification decisions. The following information may be available:

- Pre-sentence reports;
- Judicial reasons for sentence;
- Police reports;
- CORNET and CPIC entries;
- Psychiatric/ psychological reports; and
- Victim information.

4.4.2. Classification interview

The classification interview includes the following components:

1. Review of the inmate's CORNET Client Log, file(s) and other relevant information, including recommendations from judges and probation officers.
2. Ensure the inmate verifies written and additional information.
3. Develop a sentence plan with the inmate's input.
4. Ensure information concerning eligibility and application procedures for conditional release are provided within one week of sentencing to inmates serving a sentence of six months or greater.
5. Explain the classification and placement process including:
 - Available options;
 - Discussion of key dates;
 - Criteria used in making classification decisions;

- Role the offender can play; and
 - Right to appeal classification and placement decisions.
6. Information reviewed with the inmate prior to the classification interview must be limited to ensure it does not:
 - Prejudice the use for which the information was collected;
 - Prove injurious to law enforcement officials or investigations; and
 - Threaten the safety of individuals. This includes confidential victim information such as the victim's phone number, address, and records of conversation with the victim.
 7. At the conclusion of the interview, the inmate is informed of the classification decision. If a transfer is determined, the inmate is also informed about the estimated time of the transfer, except when security conditions do not permit such disclosure.
 8. The interview is in private unless others need to be present to assist the offender in understanding the process or for security reasons.

4.4.3. Risk/needs assessment (RNA)

Procedures are set out in section 4.6.

4.4.4. Inmate assessment (IA)

1. Classification officers complete the inmate assessment (IA) during the initial classification interview of all inmates.
2. The initial assessment section of the IA is completed within 24 hours of admission to a correctional centre.
3. The sentenced assessment portion of the IA is completed for all inmates who are sentenced to 30 days or more.
4. A correctional supervisor who has not received a classification officer letter of designation may start the IA. Only a manager or designated classification officer may approve an IA.
5. Offenders are classified to a correctional centre that:
 - Provides the security necessary to meet the risk to the community and needs of the offender;
 - Offers programs designed to meet the correctional needs of the offender; and

- Enables the inmate access to programs specified on the warrant of committal.
6. Procedures for reassessment are set out in sections 4.6.4, 4.6.5, and 4.7.1.

4.4.5. Special concerns

1. The classification officer informs the warden or designate about special concerns related to an inmate.
2. The warden or designate informs the correctional centre's staff.

4.5. Classification Categories (revised: Sep-12)

4.5.1. Correctional centres

1. Correctional centres are categorized according to secure, medium or open classifications.
2. A centre may be designated to receive inmates of specific classifications.
3. Regional correctional centres are categorized as secure centres. They receive and hold inmates of all classification categories.

4.5.2. Geographical proximity placements

1. Inmates are assigned to correctional centres as close to their homes as security levels and bed space permit, unless assigned to special programs that prevent such assignment.
2. When resources permit, inmates are assigned within geographic areas, rather than to distant correctional centres. Each correctional centre is a provincial resource to which inmates from any area may be assigned to address their classification and risk/needs assessment rating, as well as make the best use of the correctional centre's programs.

4.5.3. Criteria for classifying an inmate to secure custody

1. An inmate is judged to be dangerous to the community or correctional centre for the following reasons:
 2. An inmate is judged as likely to attempt escape, because of:
 3. Behaviour presents a serious management problem if the inmate:

4. Information about the inmate's background is insufficient to determine the level of security required if:
5. Classification must not be completed without the assistance of a medical or psychological assessment when the offender:
6. The inmate is awaiting trial on criminal charges or has other legal matters pending and may warrant placement in a secure correctional centre if:

7. Inmate is identified as suicidal (refer to section 9.13, Suicide Prevention) or violent and is classified to remain in secure custody until relevant security alerts have been removed.
8. Protective custody inmates may be classified from secure custody to lesser security while a security alert remains in effect (refer to section 4.3, Security Alerts).
9. Transfer to a centre with a lesser security rating could seriously affect the inmate's family. Special consideration may be given to having the inmate remain in secure custody for a specified time.
10. Note: Inmates classified to secure custody are normally transferred to the secure correctional centre nearest their home. Refer to section 4.5.2.
11. Transfers may be made between secure correctional centres to alleviate overcrowding or address inmate management problems related to behaviour or security.
12. Inmates with high-profile serious charges will not be transferred to a centre with a lesser security rating without warden approval.

4.5.4. Criteria for classifying an inmate to medium custody

With the approval of the warden or designate, inmates may be classified to a medium custody facility if they are in remand or immigration detention and meet the following criteria:

1. Inmate does not require secure custody and does not meet the criteria for a lower custody classification.
2. Inmate has:

- The potential to interact effectively with others—individually and in groups—but requires regular supervision.
3. Inmates with high-profile serious charges will not be transferred to a centre with a lesser security rating without warden approval.

4.5.5. Criteria for classifying an inmate to open custody

1. The inmate does not require medium custody, because the inmate has no:
 2. Inmate is cleared medically.
 3. Inmate is able to interact effectively and responsibly with others—individually and in groups—with minimal supervision.

4.5.6. Direct classification

Inmates may be classified to specific correctional centres.

4.5.7. Reclassification

1. Requests for reclassification are directed to the classification officer serving the area, except as identified in #7 below.
2. The four objectives of reclassification are to:
 - Review the change in circumstances since initial classification;
 - Amend the inmate assessment report;
 - Reclassify the inmate according to new information; and
 - Meet intent of original sentence management plan.
3. A classification review or file review may be initiated by an inmate or correctional centre staff. Reclassification requests initiated by the correctional centre are made in writing and accompanied by a summary of the inmate's CORNET Client Log.

4. Inmates who request reclassification must give written explanation. Their case manager adds comments and forwards the request to the classification officer within five working days from the time of receipt. The classification officer will detail the results of the reclassification request and subsequent review on the inmate's Client Log.
5. Within ten working days of receiving a request for reclassification, the classification officer reviews the inmate's file and conducts an interview if necessary. When the sentence management unit cannot respond within ten working days, the classification officer informs the warden or designate of the delay.
6. The classification officer informs the inmate of the results of the reclassification review, and is available to discuss them. The outcome is shared with correctional centre staff when relevant. A copy of the outcome is retained on file.
7. An offender may be temporarily reclassified to a higher level of security. Prior to return to a lower security level, a classification review is completed.
8. The classification officer assesses inmates being released from segregation.

4.5.8. Centre designations

According to categories established in section 4.5.1, correctional centres are designated as follows:

1. Secure:

- Vancouver Island Regional Correctional Centre (VIRCC);
- Surrey Pretrial Services Centre (SPSC);
- Fraser Regional Correctional Centre (FRCC);
- Kamloops Regional Correctional Centre (KRCC);
- Prince George Regional Correctional Centre (PGRCC); and
- North Fraser Pretrial Centre (NFPC).

2. Medium:

- Nanaimo Correctional Centre (NCC);
- Alouette Correctional Centre for Women (ACCW); and
- Ford Mountain Correctional Centre (FMCC) is a specialty unit (sex offenders, offenders with mental disorders, and protective custody inmates).

3. Regional facilities provide multiple levels of security and are designated to hold all categories of inmates.

4.5.9. Emergency transfers

1. The warden or designate notifies the receiving institution of reasons for a transfer (e.g. behavioural or medical issues) before the inmate is transferred.
2. The warden or designate records reasons in the CORNET Client Log.
3. The classification officer at the receiving institution reviews placement within one business day.

4.5.10. Protective custody

Classification to protective custody is made only when there is substantial evidence that protective custody placement is warranted.

4.5.11. Inmate dissatisfied with placement

When an inmate disagrees with a classification decision or a transfer, or is denied a transfer, the classification officer:

1. Ensures that the reasons are thoroughly explained to the inmate. No reasons are explained to the inmate when—for security or other grounds—the institution does not disclose this information.
2. Ensures that the reasons are recorded in the CORNET Client Log, including reasons not disclosed to the inmate.
3. Informs the inmate that a request may be made to the assistant deputy warden, or next level (e.g. warden), for the reasons stated in writing. Note: Responses are issued in a timely manner to avoid delays in transfers.
4. Informs the inmate of the complaint procedure, outlined in section 37 of the *Correction Act Regulation*.

4.6. Risk/Needs Assessment (revised: Jul-10)

4.6.1. Objective

1. Risk/needs assessment classifies offenders so that correctional staff can systematically:
 - Evaluate the correct security level of an offender;
 - Identify factors that contribute to an offender's criminal conduct (criminogenic needs); and
 - Develop a case plan to manage the offender during the sentence of imprisonment.
2. The risk/needs assessment process is comprised of three parts:
 - Inmate assessment (IA) for initial classification and reclassification;
 - Inmate needs assessment (INA) for case planning; and
 - Community risk/needs assessment (CRNA) and sex offender risk assessment (STATIC/STABLE) for community release.

4.6.2. Reclassification

Classification officers complete a revised inmate assessment (IA) when the offender's security level or status changes. This is noted on the CORNET Client Log.

4.6.3. Case management planning

1. The inmate needs assessment (INA) is completed by the case manager on all sentenced offenders serving terms of imprisonment of 90 days or more (in total), within three weeks of admission.
2. The INA is used to focus the case management plan for the individual offender. The offender is involved in programs and activities that most closely correspond to the offender's needs and are most likely to effect behavioural change in identified areas of need.

4.6.4. Case review

1. The case manager updates the inmate needs assessment (INA) every six months or more frequently if the case management co-ordinator determines that it is warranted.
2. The classification officer uses the inmate assessment (IA) to reassess sentenced offenders every six months or more frequently if the classification officer determines that it is warranted.

4.6.5. Transfer

1. The INA is reviewed and updated by the case manager in the receiving centre when the offender is transferred from one centre to another.
2. The classification officer in the receiving centre uses the IA to re-assesses all offenders transferred from one centre to another.

4.6.6. RNA—sex offenders

1. The centre's psychologist completes the sex offender risk assessment (STATIC/STABLE) to provide conditional release co-ordinators with more specific information to guide conditional release planning.
2. In centres offering specialized sex offender programming, the STATIC/STABLE is completed by the centre's psychologist in addition to the INA to guide treatment intervention.
3. STATIC/STABLE is intended for all categories of sex offenders. However, it may have limited value for offenders who commit a sex offence against a spouse (married or common law). This situation may reflect an escalation of violence in an existing abusive relationship rather than a sexual disorder. In these cases, SARA (spousal assault risk assessment) is more appropriate.
4. For the offender who commits a sexual assault against an adult stranger and has other non-sexual criminal convictions, STATIC/STABLE is used in addition to the INA. In this case, the offender's sexual offending may be part of a general criminal orientation, rather than a problem with sexual behaviour.
5. A current psychological assessment is obtained when psychological services are available.

4.6.7. RNA—offenders with mental disorders

In addition to the INA, offenders with mental disorders are referred for psychological and/or mental health assessments when such services are available.

4.6.8. RNA—violent offenders

In addition to the INA, dangerous violent offenders may need referral for psychological assessment so that tests (such as the psychopathy checklist) can be administered. When such services are available, these tests determine the likelihood and degree of violence.

4.6.9. Referral and information

1. The case management co-ordinator is responsible for ensuring that referrals are made for assessments and that relevant information about offenders is provided to case managers.

2. When other professionals are involved in an offender's case (e.g. probation officers, psychologists, counsellors), it is recommended that consultations take place to give relevant information and devise mutually supportive case management plans.
3. The case management co-ordinator ensures that case managers complete inmate needs assessments on time and incorporate them in the case management plans.
4. The psychologist completes the more specialized STATIC/STABLE.

4.6.10. Data entry

1. The inmate assessment (IA) is entered in ICON.
2. The inmate needs assessment (INA), community risk/needs assessment (CRNA), and STATIC/STABLE are entered in CORNET.
3. Assessments are part of the offender's historical file.

4.6.11. Case management of offender risk/needs

Case management manages the risk/needs presented by the offender to most effectively:

- Protect the public; and
- Effect change in the offender's criminal behaviour by employing case management strategies that address criminogenic factors to reduce reoffending behaviour (recidivism).

4.6.12. Principles

1. The basic principles of case management are:
 - Level of security, control and supervision that offenders receive should correspond to their risk level;
 - Programs and services that offenders receive should correspond to their needs and criminal conduct; and
 - Corrections Branch resources are aimed at higher risk/needs cases.
2. The higher the risk/needs level presented by an offender, the more security, supervision and program services are required. Additional security, control, supervision, and program services are not provided unless necessary.
3. The concept of diminishing security and control are practised and adjustments made in accordance with the offender's performance in custody. Adjustments are preceded by a risk/needs assessment review (refer to section 4.6.4, case review).

4.6.13. Case management plan

1. Based on the inmate needs assessment, the case management plan identifies how the offender addresses major areas of needs through the centre's programs and activities.
2. In the case of waiting lists for programs or counselling, higher risk/needs offenders take priority.

4.6.14. Case manager's role

1. The case manager:
 - Completes the inmate needs assessment and develops the case management plan with input from the offender;
 - Ensures that the offender is enrolled in core programs and activities that most closely correspond to the offender's needs and are most likely to effect behavioural change in areas based on the inmate needs assessment;
 - Monitors the offender's progress and behavioural change.
 - Assists the offender in the direction that is most beneficial in terms of changing criminal behaviour;
 - Engages the offender in problem solving; and
 - Recognizes and affirms progress and change made by the offender.
2. The case manager ensures that information about the offender's program/ activity involvement, progress and behaviour is kept current in the CORNET Client Log. This information is given consideration when remission is awarded and the offender is considered for community release (e.g. temporary absence, parole). This information is summarized when an institutional report is requested.

4.6.15. Role of release co-ordinator

1. Assists case manager in developing case management plans for offenders.
2. Ensures referrals are made for other assessments, and that information is provided to case managers.
3. Co-ordinates case consultations.
4. Ensures case managers punctually complete and incorporate INAs in case management plans.
5. Ensures that relevant information is prepared and gathered for community release (i.e. temporary absence, parole) decisions and advocates for release of offenders whose risk/needs assessments indicate their cases could be managed in the community.

4.6.16. Program review

The warden or program deputy warden ensures that an annual review of the centre's programs/activities is conducted to most effectively manage the risk/needs of offenders.

4.7. Internal Placement (revised: Sep-12)

4.7.1. Inmate populations

1. Classification officers classify inmates according to classification procedures outlined in sections 4.2 to 4.6.
2. Inmates may be classified to one of the following groups:
 - General population;
 - Protective custody;
 - Offenders with mental disorders;
 - Enhanced supervision placement (ESP); and
 - Segregation as directed in section 17, 18, 19, and 24 of the *Correction Act Regulation*.

4.7.2. Cell assignment

1. Upon admission, inmates are assigned to a living unit and cell in CORNET.
2. When an inmate is moved to a new unit and/or cell, CORNET is updated to reflect the current cell assignment of the inmate.

4.7.3. Multiple occupancy defined

Multiple occupancy means the housing of more than one inmate in a cell.

4.7.4. Inmates excluded from multiple occupancy

The classification officer considers the following factors before excluding an inmate from multiple occupancy:

- Peer issues;
- Nature of current charges or sentence; and
- Health care recommendations.

4.8. *Enhanced Supervision Placement (revised: Feb-11)*

4.8.1. Definition

1. Enhanced supervision placement (ESP) is for inmates who routinely exhibit behaviours or participate in activities that are:
 - Detrimental to the operation of a correctional centre; or
 - Likely to endanger others or themselves.
2. Individualized plans for an ESP are made available to provide these inmates with an opportunity to address their particular needs or behaviours.
3. Individualized plans for an ESP are also made available to inmates who experience significant peer issues.
4. Inmates are expected to successfully move at their own pace through a three-stage individualized case plan that maximizes opportunities for positive change. The case plan also enhances correctional centre security and protects the safety of everyone in the centre.
5. Extended periods of confinement may be used to meet case management needs, but these periods do not constitute a segregation disposition or separate confinement.

4.8.2. Authority

1. Classification to an enhanced supervision placement (ESP) is determined by the warden or designate in consultation with a classification officer.
2. In urgent circumstances, when a classification officer is not available for consultation, the warden or designate may classify an inmate to an ESP. The classification officer conducts a review of the placement within 48 hours of the decision, not including weekends or statutory holidays.

4.8.3. Classification

1. Any inmate may be internally classified to an enhanced supervision placement (ESP) when identified as high risk due to:
 - Mental or physical disorders;
 - Pattern of predatory or assaultive behaviour;
 - Pattern of aggressive, challenging, or abusive behaviour;
 - Court-ordered no-contacts when no other placement is reasonable or effective;

- Significant peer issues;
 - Pattern of non-compliance; or
 - Behavioural pattern of damaging property.
2. The warden or designate determines the location where an inmate classified to an ESP is housed.
 3. Inmates are classified to the level appropriate to their needs to ensure the best chance of success at completing case plan objectives.
 4. The inmate is advised in writing upon classification to an ESP as soon as practical.

4.8.4. Case manager/ individualized case plan

1. A case manager is assigned to each inmate who is classified to an enhanced supervision placement (ESP).
2. The case manager develops a case plan within four days.
3. The case plan includes:
 - A summary of reasons for the classification decision;
 - Required programs to be completed, if any; and
 - Behaviour and conduct expectations that must be demonstrated consistently by the inmate.
4. An inmate is given a copy of the case plan and is encouraged to make submissions regarding the plan.
5. Corrections staff make daily entries in the CORNET Client Log regarding the inmate's status, conduct, and achievements.
6. On a weekly basis, the warden or designate reviews the case plan and the inmate's progress in achieving case plan objectives. The justification to continue or remove the inmate from an ESP is summarized as part of this weekly review.
7. The individualized case plan may change as the inmate progresses through the original plan, or when it is deemed appropriate to change the plan due to the inmate's submissions.
8. Upon transfer to another correctional centre, the current ESP case plan is reviewed and updated if necessary. The inmate is given a copy of the updated case plan and is encouraged to make submissions regarding the plan.

4.8.5. Case plan stages

1. The purpose of an individualized case plan for enhanced supervision in three stages is to provide the inmate with adequate support and opportunities for success.
2. Case plan stages include the following:
 - Level one provides reduced peer interaction, and enhanced staff guidance and supervision;
 - Level two provides greater integration with peers and appropriate program participation. Close supervision is maintained; and
 - Level three most closely resembles reintegration into the routine of a standard living unit setting. The inmate's peer interactions and behaviour, however, are closely monitored.

4.8.6. Classification review

The Adult Custody Division classification review process applies.

4.8.7. Programs

1. Programs are only delivered to inmates in an enhanced supervision placement (ESP) when included in individualized case plans.
2. Standard inmate privileges and services are not withheld from inmates who are classified to an ESP, except for reasons related to:
 - Institutional security and safety; and
 - The inmate's individualized case plan.

4.9. Inmate Transfers (revised: Mar-09)

4.9.1. Authority

Legal authority to transfer and receive inmates is detailed in section 10 of the [Correction Act](#).

4.9.2. Introduction

1. Transfer means movement of an inmate from one correctional centre to another.
2. Transfers may be for sentence management or administrative reasons.

4.9.3. Transfer/ movement records

1. The authority approving a transfer/movement enters the date, location and reason for the movement in the CORNET Client Log and Provincial Transfer and Client Movements screens in CORNET.
2. The records officer ensures reasons for the transfer are recorded in CORNET.
3. A transfer summary is recorded in the Client Log.

4.9.4. Sentence management transfers

Sentence management transfers occur for the following reasons:

1. Transfers of newly sentenced inmates to facilitate assessment and classification.
2. Initial classification/ reclassification of sentenced inmates.
3. Transfers to an intervening centre pending bed availability at a destination established by a classification decision in reason #2 above.
4. Transfers to facilitate family contact, and access to programs, resources, legal services and police.

4.9.5. Administrative transfers

Administrative transfers occur for the following reasons:

1. Balance provincial bedloads of sentenced or remanded inmates.
2. Transfer to another centre to facilitate a court appearance in another jurisdiction. This most commonly applies to inmates serving a sentence or remanded for another matter.
3. Transfer to higher level of security for the protection of other inmates or staff, to prevent escape or self-harm, or for general public safety.
4. Medical treatment or assessment.

5. For behavioural management reasons as determined by the warden or designate.

4.9.6. Authority—administrative transfers

The warden and/or designate have authority to approve administrative transfers. The reasons for a transfer are noted in the CORNET Client Log.

4.9.7. Transfer decisions

The warden designates authority to make decisions regarding the transfer of inmates. These decisions must:

1. Be entered in the CORNET Client Log.
2. Describe the type of transfer (as outlined in section 4.9.4 or 4.9.5).
3. Specify the destination and known intervening points (e.g. inmate could be held at another centre prior to reaching intended destination).
4. Be communicated to the inmate in a timely fashion when reasonable and practical.

4.9.8. Role of transfer officer

1. When a notice of a pending/ required transfer is received, the transfer officer at the sending correctional centre:
 - Notifies the centre of destination and first intermediate centre, when required, due to bed availability;
 - Notifies sheriff escorts (except when sheriffs have initiated the transfer according to reason #2 in section 4.9.5); and
 - Ensures that inmates and their effects are assembled in the admission and discharge office before arrival of the escorts.
2. The notifications in #1 above are made electronically in CORNET.
3. The receiving centre confirms electronic notifications described in section 4.9.8.

4.9.9. Centres to consult

To ensure effective placements and efficient bedload management, sending and receiving correctional centres consult with each other about transfers on a regular and ongoing basis.

4.9.10. Emergency transfers

See section 4.5.9, Emergency transfers.

4.9.11. Transfer via court

1. When an inmate is released to sheriff's custody and admitted to another correctional centre, the officer-in-charge of records of the admitting centre notifies the officer-in-charge of records of the discharging centre from which the inmate was released.
2. The discharging centre forwards the files and remaining effects belonging to the inmate to the admitting centre.

4.9.12. File transfer

1. Inmate files and documentation accompanies the inmate on transfer.
2. If files cannot be moved with the inmate in an emergency transfer, the warden or designate ensures that the receiving centre receives a copy, via fax, of the committal documents and other pertinent information. Original files are forwarded to the receiving centre on the first business day following transfer.
3. A temporary or duplicate file is merged with the original file once received to ensure that there is only one file per inmate.
4. Inmate file locations are managed on the Client Physical File location screen in CORNET (refer to section 4.11.8).

4.9.13. Youth files

When a transfer is from a youth centre to an adult centre, the same procedures related to file transfers in section 4.9.12 and alerts apply.

4.9.14. Medically unfit for transfer

1. A medical professional may declare an inmate medically unfit for transfer and ensures classification officers are made aware of this decision. The medical professional also notifies the classification officer when the inmate is medically cleared for transfer.
2. An inmate who is assessed as suicidal is not transferred from a secure centre. The inmate's file must identify this assessment.

4.9.15. Confirmation of identity

Prior to the inmate leaving the centre on any transfer movement, the identity is confirmed by referencing photos and information in the Client Physical Description screen in CORNET.

4.10. Client File—CORNET (revised: Jul-10)

4.10.1. Contents of file

1. CORNET Client Log entries contain observations and assessments of Corrections Branch staff on the activities of inmates.
2. These files provide information for the following purposes:
 - Sentence planning including classification, reclassification and transfer;
 - Case management planning;
 - Temporary absence and parole considerations; and
 - Remission awards.

4.10.2. Creating file

1. The admitting correctional centre initiates client records in CORNET.
2. If the inmate has been previously incarcerated, the entire inactive hard copy file is retrieved from storage, and the electronic record is retrieved in CORNET.

4.10.3. Responsibility

1. Staff on the unit where the inmate is held are responsible for maintaining the client file.
2. A running record on the progress of an inmate in custody, including significant events or incidents, is maintained in the CORNET Client Log.
3. Entries are made a minimum of once every four days for each inmate.
4. Staff record only factual information in the CORNET Client Log.

4.10.4. Monthly summary

The case manager makes a monthly summary in the CORNET Client Log regarding:

1. Work, education and leisure activities, including personal strengths and weaknesses.
2. Implementation of sentence plan.
3. Changes in key dates.
4. Attitude and behaviour to staff and peers.
5. Performance on temporary absence.

4.10.5. Closing summary

1. When an inmate is discharged (including probable date of discharge, warrant expiry, release on parole or probation), the inmate's case manager enters a closing summary in the CORNET Client Log.
2. The closing summary includes:
 - Discharge plan—including after-care supervision;
 - Response to sentence plan;
 - Problems unresolved;
 - Summary of behaviour and response to direction;
 - Alternative recommendations if the inmate returns to a correctional centre; and
 - Additional factors that are considered important.

4.10.6. File reviews

A review of CORNET Client Log entries takes place as follows:

1. Inmate's case manager—weekly at minimum.
2. Case management co-ordinators—monthly at minimum (keeping notes for discussion with staff).
3. Classification—on scheduled review dates when considered for reclassification; and by regular random review.
4. Conditional release co-ordinator—upon parole or temporary absence application.
5. Warden, deputy wardens, and assistant deputy wardens—as part of their regular review of samples of Client Log entries.

4.11. Inmate Files (under review: Mar-09)

4.11.1. File establishment

The initial receiving centre is responsible for establishing and preparing inmate files, and maintaining, storing and transferring them.

4.11.2. Types of files

- Files are established on each inmate and located as follows:

<u>File Name</u>	<u>Location</u>
Warrant file	Records department
Medical file	Health centre (responsibility of medical staff)
Parole file	Sentence management unit, as required

- Electronic files are created and maintained in CORNET. Paper or hard copy files are maintained according to this policy when electronic files cannot be created or materials cannot be electronically captured.

4.11.3. Standard file format—paper files

- Inmate files are maintained in the standard format set out in this policy.
- The standard format specifies the information/ documentation and order—(a) on top, followed by (b), (c), (d), etc.—for maintenance of information/ documentation.
- Individual centres may create additional working files for in-house use. Upon transfer, all files are assembled in the approved standard format.

4.11.4. Warrant file

- Left side:
 - Identification cards and photo;
 - Current custody report;
 - CORNET history printout;
 - CPIC printout;
 - Information dissemination logs;

- Effects sheet; and
- Signed boundary/ rules and regulations forms.

2. Right side—legal documents

- Escape form (if unlawfully at large);
- Active temporary absence permits;
- Current warrant(s) of committal;
- Remand orders;
- Judges' letters;
- Pre-sentence, forensic and other reports;
- Loss of remission reports; and
- *Correction Act Regulation* infraction reports.

3. Expired documents are placed, face down, under active documents.

4. When an updated custody report is produced by CORNET, it is placed on all files, and the previous custody report is destroyed.

5. Pretrial facilities dealing mainly with inmates awaiting trial are only required to ensure an updated custody report is placed on the main file prior to transfer of the inmate to another facility.

4.11.5. Warrant file review

The records supervisor reviews warrant files to ensure accuracy and completeness of format and content (paper and electronic files).

4.11.6. File jacket

1. A standardized jacket of heavy gauge, buff coloured material is used for files.
2. The file uses fasteners on both sides affixed to the jacket.
3. When the file is established at the place of admission, the label containing the inmate's name, CS number, and photo is placed on the side.

4.11.7. Name/ CS number placement

1. When the file is established at the place of admission, the inmate's name is placed on the top tab (surname first).
2. When the file is put in inactive storage, the separate files are placed into an outer jacket. The last seven digits of the CS number (colour coded) are placed on the side tab (numbered from top to bottom).

4.11.8. Transfer to another correctional centre

1. When an inmate is transferred to another correctional centre, the warden of the transferring centre ensures that files are complete and organized.
2. The total file(s)—including the, warrants, current custody report, and transfer summary—are forwarded with the escorting officer and electronically transferred.

4.11.9. Transfer remand status

1. Prior to transferring an inmate from a secure centre to a lower level of custody, the officer-in-charge of records ensures that the warrant file is reviewed.
2. If there are outstanding charges for which the inmate is still remanded in custody, the transfer is suspended and the classification officer is notified.

4.11.10. Emergency transfer

When an emergency transfer of an inmate takes place and the file(s) are not immediately available to accompany the inmate, the records officer notifies the receiving correctional centre and forwards the file(s) by the end of the next working day. Relevant information is faxed to the receiving centre.

4.11.11. Transportation of inmate files

1. When an inmate is transferred to another correctional centre, the inmate's file(s) is forwarded by:
 - The escorting officer;
 - Registered mail by the end of the next working day; or
 - A recognized courier service by the end of the next working day.
2. The inmate's file(s) is never given to the inmate.

4.11.12. Escape

When an inmate escapes from a correctional centre, the file(s) is forwarded to the records office of the closest secure centre. It is marked as an escape file with the date and time of escape recorded in CORNET.

4.11.13. Admission of escapee

1. Upon admission of an inmate who escapes from another correctional centre, the receiving centre requests transfer and receipt of the inmate's file no later than the end of the next working day.
2. The centre holding the inmate's file forwards the file, according to section 4.11.10.

4.11.14. Archiving of inactive files

1. When an inmate is discharged at sentence expiry, the entire file is returned to the records office of the designated centre for archiving within two weeks.
2. Prior to archiving the file, the officer-in-charge of the records department ensures that the case manager or designate completes a discharge/ closing summary in CORNET. The summary outlines attitude, behaviour, work release plan and a rationale for security alerts applied.
3. Inactive files are stored in alphabetical order within the calendar year of the last release.

4.11.15. Files for archiving

1. The warden or designate ensures that files are organized and reviewed prior to being forwarded for archiving.
2. No materials are removed from a file forwarded for archiving.

4.11.16. Retention of material

Archived files are not normally retained beyond seven years.

4.11.17. Retrieval of inactive file

1. When a person is readmitted, CORNET is searched and the records officer retrieves the inactive file from storage. This ensures that relevant file material is available to Corrections Branch staff at the centre where the inmate is admitted.
2. Inactive files that are stored in another centre are requested. In most cases, inactive files are located at the regional reception centre nearest to the last correctional centre where the inmate was housed prior to discharge, as follows:

Inmate's file location	Inmate's last location
NFPC	FRCC
KRCC	KRCC
NCC	NCC
NFPC	NFPC
NFPC	FMCC
SPSC	SPSC
PGRCC	PGRCC
SPSC	ACCW
VIRCC	VIRCC

4.12. K Files: Relationship Violence (revised: Mar-11)

4.12.1. Introduction

1. The ministries of Justice and Children and Family Development's Violence Against Women in Relationships (VAWIR) policy is a comprehensive response by the criminal justice and child welfare system to criminal offences that occur within the context of an intimate relationship. Its prime focus is the safety of the victim and others at risk (e.g. children, extended family).
2. VAWIR policy, as it relates to the responsibilities of the Adult Custody Division, is incorporated in this section.

4.12.2. Definition of relationship violence

1. The Violence Against Women in Relationships (VAWIR) policy defines intimate relationship violence as:
"...physical or sexual assault, or the threat of physical or sexual assault, against a current or former intimate partner, whether or not they are legally married or living together at the time of the assault or threat. Domestic violence includes offences other than physical or sexual assault, such as criminal harassment, threatening, or mischief, where there is a reasonable basis to conclude that the act was done in order to cause, or did in fact cause, fear, trauma, suffering or loss to the intimate partner. Intimate partner relationships include heterosexual and same-sex relationships."
2. This policy applies regardless of the gender or sexual orientation of the individuals involved in the relationship.
3. This policy does not include other family violence incidents such as conflict between siblings, or between adult children and their parents (elder abuse).

4.12.3. Definition

1. A K file offender is a person who:
 - Is currently before the court or has already been sentenced by the court; and
 - Is either incarcerated or under supervision in the community; and
 - Has committed an offence against another person with whom the offender is, or was, in an intimate relationship, including:
 - A violent offence;

- Another offence, such as criminal harassment, mischief or threatening, when there is a reasonable basis for belief that the act was done in order to cause, or did in fact cause fear, trauma, suffering or loss to the intimate partner (this includes offences when the intimate partner is the target of the criminal action, but not the direct victim); or
 - A breach of a K file court order; or
 - Is subject to an application or order for an 810 recognizance related to the above noted offences.
2. Crown counsel identify cases falling within the definition by marking a K on the Report to Crown Counsel. The K is added to the court information number when it is sworn.
 3. The K identifier, which follows the offender into the corrections system, alerts staff to follow ministry policy.
 4. If an offender comes into the centre without the K designation noted in the court information number, and the offence falls under the definitions outlined in paragraph 1, staff contact Crown counsel to have the K identifier added to the court information number.
 5. If a current K file offender is convicted of a subsequent, unrelated offence the offender retains the K file designation.
 6. If a K file offender who has satisfied the conditions of the K file sentence is admitted for new unrelated offences:
 - The offender is no longer considered a K file offender; and
 - A K file victim does not need to be notified as required in Violence Against Women in Relationships (VAWIR) policy.

4.12.4. Admission to remand or sentenced custody

Upon admission to remand or sentenced custody, the warden or designate ensures that the procedures in this subsection are followed.

1. Front of the warrant file is stamped with the letter K to alert each correctional officer who handles the file of the need to keep the victim informed, in accordance with the Violence Against Women in Relationships (VAWIR) policy.
2. Information regarding civil or criminal protection orders or orders respecting the victim or access to the offender's children are obtained by completing a query with the Protection Order Registry (POR). Refer to section 4.13 for information on POR.

3. Inmate is informed that the victim, and any other individual protected by a court-ordered condition on the warrant of remand, warrant for committal, or warrant of committal is notified of the admission and relevant information regarding subsequent court dates and changes in custodial status.
4. Offender is restricted from communicating with any victim, witness or other protected party in accordance with:
 - A court-ordered condition on the warrant that is made according to section 516(2), 515(12), or 743.21 of the *Criminal Code*; or
 - An active order prohibiting contact with the victim or other protected party (i.e. civil restraining order or no contact order).
5. If the offender is readmitted to custody on pre-existing K charges (e.g. breach) or on a new charge with a victim who was already subject to notification, the record of entries from the previous file is reviewed in the Victim Contact Log in CORNET.

4.12.5. Notification of victim

1. The warden or designate ensures that the name, address and telephone number of the victim is obtained from the Report to Crown Counsel (RCC) in JUSTIN. If the RCC is unavailable, then the victim contact information is obtained from Crown counsel at the presiding court. The victim is notified of the following:
 - Date of next court appearance (when applicable);
 - Length of sentence;
 - Probable date of discharge (when applicable);
 - Conditional release and/or temporary absence;
 - Institutional transfers;
 - Release;
 - Escapes;
 - How to report violations of a no-contact condition or other safety conditions when necessary; and
 - 1-800 victims' assistance line (Victim Link BC) for locating victim assistance services in the community (1-800-563-0808).

2. Notification is made by telephone. When the victim cannot be contacted by telephone, written notice is provided to the victim's last known address.
3. A victim form approved by the warden is used to provide written notice to victims. It is also used to record relevant information that is shared with victims.
4. A copy of the form is placed in the warrant file.
5. The victim has the option of opting out of the notification procedure. Whenever possible, such withdrawal is confirmed in writing and placed in the warrant file. An entry noting the withdrawal is made in the Victim Contact Log in CORNET.
6. If the inmate is being released and the victim cannot be informed, the warden or designate informs the police—in the jurisdiction where the victim is known to reside—of the release and the need to notify the victim of the inmate's new status.

4.12.6. Victim contact records

A record is kept in the Victim Contact Log in CORNET that indicates:

- The method of contact;
- Number of attempts made; and
- What information is given.

4.12.7. Referral to specialized programs

When a specialized assaultive men's education, orientation, or treatment program exists within the centre, referral is made for the offender to attend.

4.12.8. Contact between victim and offender

If an active protection order or active no-contact order exists, contact between the victim and offender is not allowed, no matter which party initiates contact.

4.12.9. Referral to victim services

Through the victim notification process, staff ensure the victim knows how to access victim assistance information services via the 1-800-563-0808 Victim Link BC line.

4.13. Protection Order Registry Checks and Victim Safety Unit (revised: Aug-12)

4.13.1. Protection Order Registry

The Protection Order Registry (POR) is a confidential database containing all civil and criminal protection orders issued in British Columbia. POR is operated by the Ministry of Justice and allows law enforcement agencies to determine if an individual is bound by conditions of a protection order. It also provides information for contacting protected parties.

4.13.2. Victim Safety Unit

The Victim Services and Crime Prevention Division operates the Victim Safety Unit (VSU) to notify victims and parties protected by civil restraining orders about the provincial jail status of offenders. VSU provides individuals with information on local victim service programs to ensure victims are aware of and have access to services available to ensure their safety. Refer to subsection 4.13.3.

4.13.3. Victim Information and Safety Tracking Application (VISTA)

1. The Victim Safety Unit (VSU) has a module of CORNET called VISTA. This program allows registered victims of crime (both K file victims and non-K file victims) and parties protected by civil restraining orders to receive notifications. When a CORNET entry on an offender with a VSU registrant triggers an event on the VISTA task list, a VSU worker electronically receives the event via VISTA and contacts the victim by telephone to notify of the offender's status. Movements that are tracked by VISTA include:
 - Admissions;
 - Transfers;
 - Releases;
 - Order expiry dates (custody and community);
 - Parole applications;
 - Parole results; and
 - Updated court dates.

2. If an offender's status is changed during the weekend or after VSU business hours, an employee of Victim Link BC provides the necessary notification on 'release' movements only.

4.13.4. Protection order registry checks

1. To confirm the existence of an active civil or criminal protection order, corrections staff conduct a Protection Order Registry (POR) check when an offender is defined as a K file offender or when staff consider it necessary given the circumstances of the offence and need to ensure the protection of the victim.
2. When a protection order exists in the POR, the status of the order is confirmed by conducting a search in JUSTIN and CORNET.
3. The results of active protection orders are recorded in the Alerts Screen in CORNET (i.e. court file number and name of protected party).

4.13.5. Conditional release—parole

Refer to section 6.3 for procedures related to victim notification about K file offenders and parole.

4.13.6. Conditional release—temporary absence

1. Prior to releasing an inmate on temporary absence, the warden or designate ensures that a search of the Protection Order Registry is conducted.
2. When a protection order exists, the Victim Safety Unit is notified immediately so the protected party can be contacted. The Corrections Branch is responsible for contacting K file victims.
3. If notification is not confirmed within 48 hours, the Victim Safety Unit attempts contact via mail and the inmate may be released.

4.13.7. Escapes and after-hours conditional releases

1. When there is an escape or after-hours conditional release, the warden or designate ensures a search of the Protection Order Registry (POR) is conducted.
2. When a protection order exists, correctional centre staff notify the:
 - Protected party or alternate; and
 - Police agency where the protected party resides.
3. The date, time, and names of individuals contacted are noted in the CORNET Client Log. When contact is not possible, an explanation is noted in the file.

4. When the information provided by POR leaves a doubt about the inmate being the person named in the protection order, staff take the following steps:
 - Check CORNET for information on the name provided; and
 - Refer the matter to Victim Safety Unit for followup.
5. When a K file exists, correctional centre staff notify the Victim Safety Unit.

4.14. Section 810 Recognizance (revised: Mar-09)

4.14.1. Legal authority

1. Section 810 of the *Criminal Code* specifies that the court may order a recognizance (commonly referred to as a peace bond) for a period not exceeding 12 months (section 810 recognizances) or a period not exceeding 24 months (sections 810.1 and 810.2 recognizances).
2. The following types of section 810 recognizances are likely to be supervised by probation officers:
 - Section 810: Often used in cases of potential domestic violence or when individuals fear another person will cause personal injury or danger to them or their spouse, child or property;
 - Section 810.1: Used when individuals fear another person will commit a sexual offence against a child under the age of 14; and
 - Section 810.2: Used when individuals fear another person may commit an indictable offence other than treason or murder, including sexual assault, sexual assault with a weapon or aggravated sexual assault, for which the offender may be sent to prison for 10 years or more.

4.14.2. Application for 810.1 or 810.2 recognizances prior to release

1. When it is believed that an offender is at imminent risk to commit a serious personal injury offence (as defined in section 752 of the *Criminal Code*) or sexual offence against a child, an application for an 810.1 or 810.2 recognizance is considered.
2. The identification process begins upon the initial interview with classification, the initial assessment of risk, or as soon as reasonably practical.
3. The classification officer notifies the assistant deputy warden of sentence management once an inmate is identified as a potential candidate for an 810.1 or 810.2 recognizance application.
4. The assistant deputy warden of sentence management contacts the high-risk offender analyst to discuss the need to initiate an application for an 810.1 or 810.2 recognizance when the inmate meets all of the following criteria:
 - Has little or no community supervision following custody;
 - Is a sexual and/or violent offender who poses a high risk to reoffend; and
 - Is considered a danger to the safety of a victim or the public.

5. Application referrals are submitted to the high-risk offender analyst at least three months prior to the offender's probable date of discharge or as soon as reasonably practicable.
6. The initiation of an 810.1 or 810.2 recognizance is documented in the CORNET Client Log.
7. A member of the High Risk Recognizance Advisory Committee (HRRAC) is responsible for advising the offender when a referral for an 810.1 or 810.2 application has been completed.
8. For assistance and direction, contact the Adult Custody analyst or high-risk offender analyst.

4.14.3. Referral process

1. A referral package consists of:
 - CPIC;
 - CORNET Client History;
 - Current holding documents and supervision orders; and
 - Institutional risk assessments.
2. When available, the package also includes:
 - Psychiatric/psychological assessments;
 - Community assessment reports;
 - Parole decision sheets;
 - Treatment notes and reports;
 - Pre-sentence reports;
 - Report to Crown Counsel offence narrative;
 - Colour photograph (or colour copy of photo);
 - Records of judge's reasons for judgment and reasons for sentencing;
 - Available information regarding victims;
 - Intended residence upon release; and
 - Other information deemed relevant.

3. Referral packages are sent by courier to the high-risk offender analyst at the following address:

Ministry of Justice
Corrections Branch
PO Box 9278 STN PROV GOVT
Victoria BC V8W 9J7

4. The high-risk offender analyst makes recommendations to the police 810 co-ordinator with the RCMP Behavioural Sciences Group.
5. The police 810 co-ordinator forwards a Report to Crown Counsel to Chilliwack/Abbotsford Crown Counsel for consideration of an application to the court.

4.15. Prison Plus Probation or Conditional Sentence Order (revised: Mar-09)

4.15.1. Policy application

This policy applies at the expiry of imprisonment when there is a term of imprisonment:

- Plus a term of probation/conditional sentence order (refer to section 3.8.12) imposed on an inmate; or
- Imposed on an inmate already on a probation order or conditional sentence order.

4.15.2. Probation orders taking effect

1. When there is a custodial sentence, probation orders take immediate effect when the offender's warrant of committal expires.
2. When the offender is granted parole or temporary absence until the end of sentence, the probation order commences after the temporary absence permit or parole certificate expires.
3. When an inmate is subject to probation conditions at the expiry of imprisonment, the records officer, on receipt of the court documents, gives notice of the sentence(s) to the centre's release co-ordinator.

4.15.3. Conditional sentence orders taking effect

1. When there is a custodial sentence, conditional sentence orders take effect upon the offender's release from custody.
2. When the offender is granted parole, the conditional sentence order commences when the offender is released to parole.
3. When an inmate is subject to a conditional sentence order at the expiry of imprisonment, the records officer, on receipt of the court documents, gives notice of the sentence(s) to the centre's release co-ordinator.

4.15.4. Responsibilities upon release

1. Each correctional centre designates a correctional officer to liaise with probation offices when required in cases involving community supervision following release from prison.
2. The releasing correctional centre completes an electronic referral to the community office (RTC CORNET). The RTC is printed off and the inmate signs a copy that is witnessed by an officer. The officer's name must be legibly printed below his/her signature.
3. The original witnessed document with the inmate's signature is placed on the warrant file.

4. The inmate is provided with a copy of the signed referral.
5. A copy of the referral is faxed to the community probation office where the inmate is directed to report.
6. When an inmate fails to report as directed and is charged for breaching the probation order or conditional sentence order, the community probation office requests the original signed RTC.
7. One week prior to discharge of high-risk, high profile sex offenders or violent offenders, the designated correctional officer contacts the supervising probation officer.
8. When an inmate has been released to full parole and has a pending probation or conditional sentence order, the releasing centre is not required to complete a referral to community upon warrant expiration.

4.15.5. Direction to inmate

1. Upon completion of a prison sentence and prior to release from custody, inmates who have a sentence of prison plus probation supervision or a conditional sentence order are reminded of their responsibility to report to a probation officer.
2. The inmate is informed that failure to report or comply with the probation order or conditional sentence order as directed could result in a charge of breach of probation or breach of conditional sentence order.
3. If the inmate's release destination is withheld or undecided by the inmate, the inmate is told to report to the nearest probation office within 24 hours.
4. When the destination of the inmate does not have a probation office, the inmate is directed to report to the probation office nearest the destination. The probation office nearest the inmate's destination is contacted to confirm reporting location, date and time.

4.15.6. Referral to itinerant office

When the CORNET RTC default requires an inmate to report to an itinerant office, the following procedures are followed:

1. Before referring clients directly to itinerant office locations on CORNET, correctional staff contact the responsible primary probation office to receive accurate client reporting instructions.
2. If the primary probation office cannot be contacted to provide reporting instructions, clients are referred directly to the primary probation office.
3. Correctional centre staff have the inmate sign the written instructions acknowledging the direction to report, and complete the referral to community entry in CORNET.

4.16. Citizens of Foreign Countries (revised: Mar-09)

Wardens or designates ensure that the nearest Citizenship and Immigration Canada Office is notified, or aware of inmates received who could be subject to deportation.

4.16.1. Informing consular post

1. The inmate is informed of the right to have the national consular post notified of the inmate's detention, and of the right of access by consular officials, as set out in the *Vienna Convention on Consular Relations*.
2. When the inmate requests in writing that the consular post not be informed, no action is taken unless the inmate makes a written request at a later date.
3. When the inmate requests that the consular post be informed, the inmate is allowed reasonable access to the telephone or to write to the consular office.
4. If the consul wishes to interview the inmate at the centre, a visit can be arranged during the usual business hours of the correctional centre.

4.17. Federal/ Provincial Agreement for Transfer of Inmates (revised: Oct-10)

4.17.1. Agreement

1. The *Federal-Provincial Transfer of Offenders Agreement* permits transfer of inmates between federal and provincial institutions.
2. Under this agreement, wardens have authority to approve or deny transfer applications.
3. Such transfers only occur when both jurisdictions agree with the transfer.
4. The agreement gives the province authority to recover costs for the containment of federal inmates who are under national parole suspension and not awaiting trial on charges.

4.17.2. Application form

A standard application form is used by both federal and provincial jurisdictions. Refer to form 7704, *Federal-Provincial Transfer of Offenders Application*.

4.17.3. Provincial to federal transfer applications

1. Provincial to federal transfers only occur if the Corrections Branch has funds to cover the per diem costs of transferring a provincial inmate to a federal institution.
2. When a transfer is in the best interests of the Corrections Branch, exceptional cases may be considered in consultation with the assistant deputy minister, Corrections Branch.

4.17.4. Federal to provincial applications

An application by, or on behalf of, a federal inmate in a penitentiary requesting transfer to a provincial correctional centre is processed in the following manner:

1. The institutional transfer officer, Correctional Service of Canada, reviews the application.
2. Application is forwarded to the penitentiary warden for approval or denial.
3. Penitentiary warden forwards application to the warden where the inmate is requesting transfer.
4. After reviewing the application, the warden forwards approval or denial of the transfer application within 20 working days to the warden of the penitentiary where the inmate is incarcerated.

4.17.5. Transfer of federal inmates

1. A penitentiary placement officer interviews federal inmates awaiting transfer during the first 15 days of their sentence if they have not been transferred to a penitentiary within five days of sentencing.
2. When an inmate is a candidate for placement to a provincial correctional centre, the application is processed in the following manner:
 - Penitentiary placement officer completes application form during interview with inmate.
 - Penitentiary officer who approves application forwards it to the assistant deputy warden of the receiving correctional centre. The application includes the following documents:
 - Penitentiary placement report;
 - Sentence administration information;
 - Pre-sentence report (if available);
 - Medical/ psychological reports;
 - Police reports; and
 - Other useful information.
 - Within 10 days of receiving the penitentiary placement officer's request, or agreed upon date, the warden forwards approval or denial of the transfer application to the penitentiary placement officer. A copy is forwarded to the program analyst, Adult Custody Division headquarters.
 - While an inmate is confined in a correctional centre pending a transfer application decision, the correctional centre continues to bill Correctional Service of Canada for days spent in custody once the appeal period has been satisfied.
 - When the transfer is approved, copies of legal documentation required to complete sentence administration are forwarded to:

3. The regional advisor sentence management issues a transfer warrant, transferring the inmate from federal to provincial custody.

4.17.6. Classification officer review

The classification officer:

- Reviews applications of federal inmates who apply for transfer to the correctional centre; and
- Forwards recommendations accepting or rejecting the transfers to the warden.

4.17.7. Criteria for transfer to a correctional centre

1. The expressed interest of the inmate to willingly participate in a transfer is desirable and taken into account. Other considerations are weighed in relation to a transfer request and may overrule the inmate's application.
2. The following decision-making criteria are applied when approving or denying a federal inmate's application for transfer to a provincial correctional centre. Inmates are not considered if they:
 - Are classified by Correctional Service of Canada as maximum security;
 - Have a known affiliation to organized crime;
 - Have a history of being dangerous to staff or inmates; or
 - Have serious outstanding court charges.
3. Additional factors are considered. They include:
 - Upcoming parole hearing: A transfer is not considered within two months of a scheduled parole hearing;
 - Inmate's criminal and escape records;
 - Confirmed ties to family and/or community;
 - Demonstrated ability of the inmate to progress through security, control and supervision within the Corrections Branch that coincides with provincial practice;
 - Inmate's program and/or educational needs can be met in the correctional centre;
 - Inmate's institutional performance;

- Staff knowledge, experience and information about the inmate;
- Available space to accommodate the inmate; and
- Proximity to home and family.

4.17.8. Penitentiary placement officer

1. A penitentiary placement officer regularly visits each correctional centre where federal inmates are confined pending transfer to a penitentiary. The officer interviews the inmates and makes a transfer decision.
2. A daily list of federal inmates in the correctional centre is provided to the penitentiary placement officer.
3. When an inmate waives the right to appeal prior to the regularly scheduled transfer of federal inmates and is not interviewed by the penitentiary placement officer, the warden ensures that the penitentiary placement officer is immediately notified. The penitentiary placement officer then advises the warden whether the inmate should be held over until the next scheduled transfer date or included in the transfer.
4. When the penitentiary placement officer requests the warden to delay delivery of an inmate to a penitentiary, the initial verbal request is followed by written confirmation within seven days. The warden indicates at the time of the verbal request whether the request can be accommodated. For billing purposes, the warden ensures that the date of the verbal request is written in the CORNET Client Log.

4.17.9. Appeal

1. An inmate in a correctional centre or penitentiary may appeal a decision about a transfer that is made by the warden within seven days of receiving notice of the decision. Reasons for the decision are given in writing.
2. If the inmate is not satisfied with the response given by the warden, an appeal may be made in writing and forwarded to the provincial director. Within 14 days of receiving the appeal, a decision is made and a written response is provided to the inmate.
3. Appealed transfers under the *Federal/Provincial Transfer of Offenders Agreement* are delayed until a decision on the appeal is made.

4.17.10. Correctional centre rules to apply

When inmates are transferred according to section 4.17.1, they are subject to the rules and regulations, discipline and pay schedules of the receiving institution.

4.17.11. Jurisdiction to examine complaints

1. When an inmate transferred under section 4.17.1 registers a complaint or grievance, it is examined by the correctional service against which it is made unless the complaint or grievance relates to a matter arising prior to the inmate's transfer.
2. In this case:
 - British Columbia examines the matter if the provincial inmate has been transferred to Canada; and
 - Canada examines the matter if the federal inmate has been transferred to British Columbia.

4.17.12. Parole

1. Federal inmates transferred to provincial facilities come under the authority of the Parole Board of Canada.
2. The warden or designate notifies the Parole Board of Canada when a federal inmate is transferred under this agreement.

4.17.13. Return to original jurisdiction

1. The *Federal-Provincial Transfer of Offenders Agreement* provides for the return of inmates to their original jurisdiction.
2. The request and reasons for the return to the original jurisdiction is forwarded by the warden or designate to the:
3. Institutional transfer officer in the penitentiary from which the inmate was transferred; or
4. Penitentiary placement officer who regularly visits the correctional centre.
5. Upon receipt of the verbal request for return to the original jurisdiction, the authorization to return is issued and acted upon within seven days.

4.17.14. Documentation

When an inmate is transferred, the correctional centre or penitentiary provides documentation and personal property including:

- Court documents:
 - Committal warrants;
 - Record of proceedings;

- Information;
- Medical documents;
- Statement of account and monies;
- Information pertaining to computing the sentence and credit of earned remission; and
- Information about inmate's progress.

4.17.15. Transportation

1. The Correctional Service of Canada provides transportation to a correctional centre for each transferred federal inmate, or reimburses the Corrections Branch when provincial corrections staff provide transportation.
2. When the latter occurs, the warden or designate ensures the information is:
 - Recorded in the transportation log provided to each correctional centre; and
 - Forwarded to the recoveries clerk, Adult Custody Division headquarters, on a monthly basis.

4.17.16. Billing

1. Wardens or designates ensure that a monthly statement for billing is forwarded to the revenue and expenditures officer, Corrections Branch headquarters. The statement includes supporting documentation specified in Appendix C of the agreement, or requested by the recoveries clerk, Adult Custody Division.
2. This applies to:
 - Federal-provincial transfers;
 - National parole suspensions;
 - Federal inmates who have satisfied conditions of section 16.1 of the *Corrections and Conditional Release Act* and are awaiting transfer to the penitentiary;
 - Inmates whose transportation to the penitentiary is delayed;
 - Inmates transferred to a correctional centre to prepare an appeal, or awaiting trial following an incident during their stay in a penitentiary;
 - Inmates held under an immigration hold; and

- Federal inmates transferred to a provincial correctional centre who have had an increase in their security rating, and are awaiting transfer or return to a higher security federal institution.

4.18. Inter-Provincial Agreement for Transfer of Inmates (revised: Sep-12)

4.18.1. Agreement

1. The province of British Columbia has agreements with Alberta, Saskatchewan, Manitoba, Ontario, Yukon, and the NWT, that permit transfer of inmates between B.C. and these jurisdictions.
2. Wardens have authority to approve or deny transfer applications.

4.18.2. Procedure

1. An application by an inmate (form #7709) requesting inter-provincial transfer is reviewed by the classification officer to ensure that it contains the following required information:
 - Inmate's name;
 - Correctional centre where the inmate is incarcerated;
 - Principal residence of the inmate;
 - Sentence calculation information, including offences committed, sentences imposed, dates of sentence, probable discharge date, and information affecting discharge date;
 - Reasons for a transfer; and
 - Other pertinent information.
2. This application is forwarded for decision to the warden and then to the program analyst, Corrections Branch headquarters, where it is sent to the appropriate jurisdiction.

4.18.3. Notification by program analyst

When the transfer of a B.C. inmate is approved, the program analyst notifies the warden who makes arrangements for the transfer.

4.18.4. Application to transfer to a B.C. centre

When an inmate in another jurisdiction requests a transfer to B.C., the following steps apply:

1. Application is sent to the program analyst co-ordinating inter-provincial transfers.
2. Application is forwarded to the warden of the institution where the inmate wishes to reside.

3. Warden forwards completed application form containing the decision to the program analyst who co-ordinates such transfers.
4. When a transfer to a British Columbia correctional centre is approved, the program analyst notifies the warden who confirms transfer arrangements with the transferring jurisdiction.

4.18.5. Criteria

The decision-making criteria for approving or denying an inmate's application for an inter-provincial transfer to another jurisdiction are as follows:

1. Space is available to accommodate the inmate in a correctional centre.
2. Inmate is a resident of the other jurisdiction and has active family and/or employment ties in the province.
3. Inmate has voluntarily applied for transfer.
4. There is no appeal of conviction, sentence or deportation order.
5. Inmate is not before the courts on any other matter.

4.18.6. Criteria for transferring B.C. residents to B.C.

1. The decision-making criteria for approving or denying an inmate's application for transfer to British Columbia is as follows:
2. Space is available to accommodate the inmate in a correctional centre.
3. Inmate is a resident of British Columbia and has active family or employment ties in the province.
4. Inmate expresses willingness to actively participate in programs.
5. Inmate does not have any health care concerns that would preclude consideration for transfer (e.g. infectious disease). The director, Health Services, is consulted in these cases.

4.18.7. Ministerial authority

In spite of the above criteria, the ministers responsible for this agreement may authorize the transfer of any inmate whose best interests would be met by a transfer.

4.18.8. Costs of transfer

Inmates are informed of their responsibility for assuming transportation costs, including escorts, if required.

4.18.9. Inmate files and effects

1. When an inmate is transferred to another jurisdiction, relevant file material listed in section 4.11.4 is transported with the inmate or forwarded to the receiving jurisdiction by courier in a double-sealed and padded protected envelope.
2. Personal effects are taken with the inmate unless arrangements are made to retrieve them.

4.18.10. Probation to follow

If an inmate transfers to another jurisdiction with an attached term of probation, the program analyst is contacted to co-ordinate the transfer.

4.18.11. Parole

When a parole application is generated and/or granted for an inmate requesting an inter-provincial transfer, the warden or designate provides this information to the Parole Board of Canada.

4.18.12. Rules of receiving institution to apply

When inmates are transferred according to section 4.18.1, they are governed by the rules and regulations, discipline and pay schedules of the receiving institution.

4.19. International Agreement on Transfer of Offenders (revised: Sep-12)

4.19.1. Canada—U.S.A. agreement

Under the treaty signed between Canada and the United States, an inmate who is a citizen of the U.S., but serving a sentence in Canada may be transferred to the U.S. to serve the sentence.

4.19.2. Criteria

The following criteria apply:

1. Inmate must voluntarily apply for such transfer.
2. There must be a minimum of six months remaining in the sentence at the time of application.
3. The crime for which the sentence is being served in Canada must be punishable as a crime in the U.S.
4. There is no appeal of conviction, sentence or deportation order.
5. Inmate is not before the courts on other matters.

4.19.3. Information

1. Information booklets explaining details of such transfers are forwarded to wardens.
2. Application forms and a list of documentation necessary to accompany an application for transfer are included with the booklet.

4.19.4. Application

1. When an inmate who meets the criteria wishes to apply for a transfer to the U.S., the application forms and supporting documentation (outlined in section 4.19.3) are completed and forwarded to the warden.
2. After approval, the documentation is forwarded to Ottawa for approval with American authorities.
3. Documentation is forwarded in a double-sealed and padded protected envelope via courier.

5. Temporary Absence

5.1. *Introduction (revised: Apr-07)*

5.1.1. Overview

1. Temporary absence is a procedure that permits an inmate to be absent from a correctional centre, with or without escort, subject to conditions, on a time-limited basis for a specific purpose.
2. Inmates may apply for a temporary absence any time during a sentence.
3. Community Corrections staff investigate and prepare community assessment reports of temporary absence applications that require the unescorted overnight absence of sentenced offenders from correctional centres.

5.1.2. Legislative authority

1. Legislative authority for granting temporary absence to offenders convicted of a federal enactment offence exists in the *Prisons and Reformatories Act*. The lieutenant-governor, by order-in-council, designates the person in charge of a correctional centre (i.e. wardens and their designates) responsibility for authorizing temporary absences when necessary or appropriate.
2. The legislative authority for granting temporary absence to offenders convicted of a provincial enactment offence exists in the *Correction Act*.
3. Temporary absence may be granted for a maximum of 60 days. Absences may be renewed for one or more 60-day periods upon reassessment of the case.

5.1.3. Purpose of temporary absence

Temporary absence:

- Contributes to maintenance of a just, peaceful and safe society;
- Uses controlled, time-limited releases to the community that minimize risk and preserve safety of the community; and
- Facilitates rehabilitation of prisoners.

5.1.4. Principles of temporary absence program

The guiding principles to achieve the objectives of a temporary absence program are:

1. Make the least restrictive decision that is consistent with the protection of society and rehabilitation of the prisoner.
2. Take relevant case information into account.
3. Provide inmates with information, reasons for decisions, and access to the review of decisions to ensure a fair temporary absence process.
4. Make information about temporary absence programs and policies available to prisoners, victims and the public.

5.2. Types of Temporary Absences—Corrections Branch (revised: Sep-11)

5.2.1. Introduction

Temporary absence varies depending on the assessed risk and needs of the inmate and available resources within the correctional centre and community.

5.2.2. Temporary absences that may be granted to sentenced inmates

1. Medical:
 - Emergency; and
 - Non-emergency.
2. Education.
3. Employment.
4. Rehabilitative/reintegration.
5. Humanitarian.
6. Operational.
7. Communicable disease.

5.2.3. Emergency medical absence

1. Absence from a correctional centre to receive medical treatment in emergency situations may be granted for an unlimited period by the warden or designate. This is done on the advice of a clinician qualified in the relevant health field.
2. A remanded inmate or an inmate held in secure custody may be granted an emergency medical absence by the warden or designate. In consultation with a clinician, the warden or designate determines that the inmate is unable, through infirmity or other cause, to withdraw from the place providing the treatment.
3. Such absences are reported to the warden in writing and reviewed by the deputy each day the inmate is absent. This ensures a prompt response to a significant change in the inmate's condition.
4. Canada Border Services Agency authorities are notified as soon as possible, or by the next working day, of any medical absence granted to an inmate who is not a Canadian citizen or landed immigrant.
5. The warden or designate provides a temporary absence authorization permit.

6. Because a timely response is essential in these cases, granting an absence of this kind does not require the preparation of a written community assessment. An escort risk assessment is necessary, in accordance with section 1, Escort risk assessment.
7. Such assessment includes confirmation that the hospital is willing to accept and treat the inmate.
8. When a temporary absence is granted, the warden or designate signs an authorization permit and prescribes conditions under which the absence is to be conducted. The decision-making criteria are kept in mind.
9. The transfer of inmates to a provincial mental health facility follows procedures outlined in section 2.6, *Health Care Services Manual*.

5.2.4. Non-emergency medical absence

1. In non-emergency situations, the warden or designate may grant an absence to receive medical, dental, psychiatric or psychological treatment in medical treatment facilities for an unlimited period. This decision is based on recommendations received from a qualified clinician.
2. A written community assessment may be required (refer to section 5.3.3). The warden or designate is required to sign a temporary absence authorization permit and prescribe conditions.
3. When this absence is used to transfer an inmate to a provincial mental health facility, the warden or designate may grant the absence on the advice of a physician, psychiatrist or psychologist. It does not require an application by the inmate, or the preparation of a written community assessment. This matter is addressed in section 9.10, Inmate mental health and section 2.6 of the *Health Care Services Manual*.

5.2.5. Legal custody of inmate in a medical facility

1. In emergency and non-emergency unescorted medical absences, personnel at the medical treatment facility understand that the releasing correctional centre retains legal custody of the inmate.
2. No discharge is made from a medical facility without prior notification to the correctional centre's officer-in-charge. This officer arranges for the inmate's return to the correctional centre.

5.2.6. Education absence

1. Inmates who wish to pursue recognized educational, vocational or training programs not involving a daily return to a correctional centre apply for a conditional release through the Parole Board of Canada. Applicants must be eligible for conditional release (i.e. a sentence of six months or longer).

2. When correctional facilities permit the inmate's daily return to the correctional centre, inmates with an open custody classification may apply for an absence to attend a recognized educational, vocational or training program.
3. The warden or designate may grant an absence.
4. When a requested absence, if granted, would run until the end of an inmate's sentence and the inmate is eligible for conditional release, an application for parole through the Parole Board of Canada is encouraged.
5. A written community assessment may be required (refer to section 5.3.3). The warden or designate signs a temporary absence authorization permit and prescribes conditions.

5.2.7. Employment absence

1. Inmates who are eligible for conditional release (i.e. a sentence of six months or longer) who wish to pursue absences for long-term community-based employment apply for a conditional release through the Parole Board of Canada.
2. The warden or designate may grant absences from a correctional centre to participate in Corrections Branch approved co-operative work program activities.
3. These absences may be for specified periods or permitted on a daily basis.
4. When correctional facilities permit the inmate's daily return to the correctional centre, open custody inmates may apply for an absence to pursue employment.
5. The warden or designate may grant an absence for employment.
6. A written community assessment may be required in absences for employment (refer to section 5.3.3). The warden or designate signs a temporary absence authorization permit and prescribes conditions.

5.2.8. Rehabilitation/reintegration absence

1. Rehabilitative absences from a correctional centre may be granted for the inmate to:
 - Receive treatment/counselling or attend approved therapeutic programs; and
 - Make amends to society and/or the victim through reparation (e.g. community service, restitution or compensation).
2. To allow an inmate to receive treatment/counselling or attend other approved therapeutic programs:
 - Absences may be for specified periods or granted on a daily basis; and

- When a proposed absence extends to the end of the inmate's sentence, and the inmate is eligible for conditional release, the inmate applies for a conditional release through the Parole Board of Canada.
3. To making amends:
 - Requires the daily return of the inmate to the correctional centre.
 4. A written community assessment may be required (refer to section 5.3.3). The warden or designate signs a temporary absence authorization permit and prescribes conditions.

5.2.9. Humanitarian absence

1. Humanitarian absences from a correctional centre may be granted for:
 - Approved institutional program initiatives;
 - Approved family contact;
 - Attendance at spiritual or religious programs, recreational programs and social gatherings that relate to correctional centre programs, approved by the warden or designate; and
 - Compassionate reasons, such as family illness or attending a funeral.
2. Absences for institutional program initiatives, family contact and attendance at programs and gatherings are only granted to inmates who have earned the privilege. Privileges are earned through active participation in correctional centre programs, abiding by the [Correction Act Regulation](#), and having good behaviour.
3. A written community assessment may be required (refer to section 5.3.3). The warden or designate signs a temporary absence authorization permit and prescribes conditions.
4. A humanitarian absence based on compassionate grounds (serious illness or death of a close family member or friend) requires a Community Corrections file review only. Refer to section 5.3.4 for an overview of the information provided. Note the following:
 - Public safety is the primary consideration of the warden or designate in approving these absences;
 - Requests by a remanded inmate or an inmate, who may not meet the criteria for temporary absence, may be granted by the warden or designate; and
 - A temporary absence authorization permit with conditions, signed by the warden or designate, is required.

5.2.10. Operational absence

1. The warden or designate may grant absences from a correctional centre for operational purposes, such as:
 - Facilitating the inter-provincial transfer of inmates; and
 - Maintaining good management and security of the centre.
2. A temporary absence authorization permit with conditions, signed by the warden or designate, is required.

5.2.11. Communicable disease absence

1. In correctional centres where communicable disease is of concern, the warden or designate, in consultation with the provincial director and the director, Health Services, may grant absences to:
 - Remove an infected individual from a centre; or
 - Protect someone from being subject to an outbreak at the centre.
2. A temporary absence authorization permit with conditions is required and must be signed by the warden or designate.
3. The warden or designate refers to section 5.4 for decision-making criteria.
4. A written community assessment is not required.

5.2.12. Escorted absence

1. Any absence described above may be with an escort.
2. An escorted absence does not include the escort of an inmate who is under the direct supervision of a correctional officer (section 5.2.13).
3. The escort may be provided by:
 - Corrections Branch chaplains;
 - Representatives of public or legitimate private correctional social service agencies;
 - Correctional volunteers; or
 - Other people approved by the decision-making authority.
4. The selection and approval of an escort for a temporary absence is the responsibility of the warden or designate appropriate for the type of temporary absence.

5.2.13. Inmates under correctional officer escort

1. When a correctional officer provides direct escort supervision, it is not necessary to grant a temporary absence or provide an authorization permit.
2. Examples of escorted absence include:
 - Crew of sentenced inmates working off correctional centre grounds under the supervision of one or more correctional officers;
 - Group of sentenced inmates performing reparation (e.g. community service) off correctional centre grounds under supervision of a correctional officer; and
 - Escort and surveillance of a sentenced or remanded inmate for medical treatment off correctional centre grounds.

5.2.14.

5.2.15. Police officer escort

An escort is provided by a police officer when an inmate is released into police custody to facilitate criminal investigations. A temporary absence authorization permit is provided by the correctional centre's warden or designate.

5.2.16. Release into police custody

1. A sentenced or remanded inmate may be released into police custody to facilitate criminal investigations. Such absences from a correctional centre are made with the approval of the warden or designate under section 21.1 of the *Correction Act*.
2. The Corrections Branch releases an inmate when the inmate signs the temporary absence authorization permit.
3. When the police require such a release, they are advised to submit a written request to the warden or designate.

4. In emergency cases, requests may be made verbally. Written documentation is delivered to the correctional centre when police arrive to take custody of the inmate.
5. The conditions clearly indicate who is taking responsibility for the inmate.
6. An inmate may refuse to agree to the temporary absence. The police are then required to obtain an order from the court authorizing release of the inmate into their custody.

5.2.17. Police authorized absence

In accordance with the order-in-council, officers in charge of police lockups (as defined in section 493 of the *Criminal Code*) are authorized to grant unescorted temporary absence permits. These permits are for medical, humanitarian, rehabilitative or reintegration purposes, to prisoners serving intermittent sentences in police lockups.

5.3. Processing Procedures (revised: Apr-07)

5.3.1. Temporary absence application

1. Inmates may initiate a temporary absence application at any time during their sentence.
2. Applications may be withdrawn during any stage, provided the inmate submits a written request.
3. The assistant deputy warden, Sentence Management Unit, and the deputy warden screen all temporary absence applications that are received by the conditional release co-ordinator and require a community assessment. Screening is required before a community assessment may be requested.
4. Community Corrections staff investigate and prepare community assessment reports of temporary absence applications that require the unescorted overnight absence of sentenced offenders from correctional centres. Refer to chapter 13 of the *Community Corrections Policy Manual* for additional information regarding community assessments.
5. The application may be denied at any stage by the decision-making authority for the temporary absence. The decision and reasons are communicated to the inmate in writing, within three calendar days, and noted on the CORNET Client Log.
6. Temporary absences initiated by the inmate are submitted on a completed temporary absence application (form 7702) to a correctional officer. The following procedures apply in processing temporary absence applications:
 - Every sentenced inmate is made aware of the temporary absence policy within four days of admission to a correctional centre;
 - Sentenced inmates may apply for a temporary absence any time during their sentence;
 - Every application submitted by an inmate is processed and completed within 25 days of the receipt of the application. Absences requiring a community assessment are the exception; and
 - Every application is entered on the CORNET Temporary Absence screen.

5.3.2. Conditional release co-ordinator

1. The conditional release co-ordinator, or designated staff member, guides temporary absence applications through the decision-making process. Required information and documents are assembled and available at key junctures in the process.
2. Staff performing the function of conditional release co-ordinator need to be familiar with provincial resources. They use this knowledge to process applications.

3. The conditional release co-ordinator, or designated staff member, is responsible for:
- Ensuring that temporary absence applications include a detailed release plan and collateral contact information. This is necessary for the probation officer to undertake a community assessment investigation;
 - Requesting community assessment reports from Community Corrections;
 - Scheduling community assessment investigation interviews with the offender when requested by Community Corrections staff;
 - Collating information from Community Corrections and the correctional centre for temporary absence decision-making;
 - Ensuring that inmates who propose residence in a community-based residential treatment or supportive recovery facility are assessed for transfer to the closest correctional centre location in the event of a temporary absence grant;
 - Ensuring that offenders understand conditions on the temporary absence permit and their obligation to report to a probation officer at the specified Community Corrections office upon release;
 - Distributing copies of the temporary absence permit to the Community Corrections office where the offender is required to report, Operational Communications Centre (CPIC) and RCMP;
 - Liaising with Community Corrections and other community resources;
 - Confirming the offender's travel plans and approximate time of arrival with the receiving Community Corrections office and applicable community-based residential or supportive recovery facility, prior to release;
 - Requesting written progress reports from Community Corrections when renewal of a temporary absence permit is sought by the offender;
 - Ensuring that application information is entered into CORNET; and
 - Ensuring that entries are made on the CORNET Client Log.

5.3.3. Types of temporary absence requiring community assessment report

1. Applications for overnight temporary absence from the correctional centre requiring a written community assessment report from Community Corrections include:

- Non-emergency medical treatment, without escort, to receive medical, dental psychiatric or psychological treatment in a medical treatment facility when supported by recommendations from a qualified clinician;
 - Education or employment;
 - Rehabilitation/reintegration, which may include programming at a community-based residential treatment facility or supportive recovery facility. The facility must be listed in the inventory of approved addiction resources outlined in section 5.3.12; and
 - Humanitarian absence related to approved institutional program initiatives, approved family contact or attendance at spiritual or religious programs. Humanitarian absence is considered an earned privilege. It requires active participation in correctional centre programs, demonstrated compliance with the *Correction Act Regulation* and good behaviour.
2. A humanitarian absence based on compassionate grounds (serious illness or death of a close family member or friend) requires a Community Corrections file review only. Refer to the section below for an overview of the information provided.

5.3.4. File review requests

1. Probation officers undertake a Community Corrections file review within five working days of receiving a request relating to a humanitarian absence based on compassionate grounds (i.e. death of a close family member or friend). It addresses the following factors:
- Criminal convictions relating to violence, spousal assault or sex offences;
 - Active or pending orders for community supervision, including offence and conditions, especially protective conditions;
 - Results of a Protection Order Registry check;
 - Victims who are not named in the offender's protective conditions;
 - Date and assessed supervision level of the last completed community risk/need assessment (CRNA) recorded in CORNET, and summary of the identified risk/need factors;
 - Number of failures to comply with the terms of community supervision; and
 - Co-operation with the terms of community supervision and correctional interventions.

2. File review requests are the responsibility of the Community Corrections office. This office may have active or pending community supervision of the offender, or hold the offender's inactive physical file.

5.3.5. Due dates and distribution

Community assessment reports of temporary absence applications that propose release for a purpose that:

- Will not exceed 60 days, are submitted to the conditional release co-ordinator no later than 20 working days from receipt of the report request.
- Exceeds 60 days, or that cover the entire term of the remaining sentence, are submitted to the conditional release co-ordinator no later than 60 working days from receipt of the report request.

5.3.6. Responsibility for community assessment report

The probation officer who completes the community assessment report is located in the community where the offender initially intends to reside upon release.

5.3.7. Purpose of community assessments

1. Community assessment reports evaluate the offender's proposed temporary absence plan in terms of:
 - Verification and availability of community supports and resources;
 - Response to previous community supervision and correctional interventions;
 - Suitability with regard to risk/needs;
 - Level of intervention required to manage assessed risk/needs in the community; and
 - Recommendations regarding special conditions.
2. The community assessment report is an objective assessment of the suitability of an offender's proposed temporary absence release plan relative to the offender's assessed risk/needs. It is not a recommendation for or against temporary absence.
3. The primary focus is an assessment of the temporary absence release plan suitability and identification of offender risk/needs areas that might affect compliance with temporary absence.
4. Recommendations regarding conditions and interventions are linked to identified offence(s) and criminogenic factors.

5.3.8. Risk/needs assessment and community assessment reports

1. The community risk/needs assessment (CRNA) is a tool in the investigation and preparation of community assessment reports. It is completed by the probation officer to:
 - Structure the investigation and report on an examination of criminogenic factors contained in the assessment instruments;
 - Assist in determining the suitability of the offender's temporary absence plan relative to assessed risk/needs; and
 - Formulate recommendations for conditions.
2. The STATIC/STABLE assessment tool and spousal assault risk assessment (SARA) are employed consistent with policy for offenders who meet the definition of a sex offender or K file offender. Probation officers may wish to consult with a correctional centre psychologist when completing the STABLE assessment for sex offenders.
3. The probation officer completing the community assessment report is responsible for determining which risk assessment(s) to employ. This decision is based upon the offender's index offence(s) and criminal history.
4. An interview with the offender, in person or by telephone, and contact with collateral sources occurs when completing risk/needs assessments.
5. Risk/needs assessments are entered into CORNET. They are then printed for submission with the community assessment report to the requesting conditional release co-ordinator.

5.3.9. Sources of information

Document information that is considered when conducting a community assessment investigation includes:

- Inmate Temporary Absence Application (form #7702) detailing the proposed temporary absence plan;
- Risk/needs assessments;
- Results of Protection Order Registry check;
- CPIC and CORNET client history check;
- Institutional report (progress report); and
- Case management or other relevant sources of information, including victim comments.

5.3.10. Electronic monitoring not available

Electronic monitoring is not available as a mode of supervision for temporary absence.

5.3.11. Institutional report

1. The inmate's case manager or officer(s) most familiar with the inmate completes the institutional report. It describes the inmate's behaviour, progress through the case management plan, and attitude in the correctional centre during the current sentence (and past sentences if relevant).
2. The officer assesses the inmate's ability to function in the community.

5.3.12. Approved addiction resources

1. Correctional centres maintain an annually updated inventory of in-patient/out-patient addiction resources that are approved and licensed by their regional health authority.
2. When a temporary absence application proposes residence in a placement not included in the inventory, the inmate is informed that the application fails to meet the criteria and the application will not be processed.
3. The inmate is referred to the drug and alcohol counsellor to determine an alternate facility that is included in the inventory.

5.4. Decision-making Criteria (revised: Sep-11)

5.4.1. Introduction

1. The lieutenant-governor, by order-in-council, designates the person in charge of a correctional centre (i.e. wardens and their designates), responsibility for authorizing temporary absences when necessary or appropriate.
2. Public safety is paramount in considering whether an inmate is granted a temporary absence. With the exception of absences for essential medical treatment, transfers to mental health facilities or releases to police custody, inmates who do not meet the criteria for a release are not eligible for temporary absence. The criteria are determined through an evaluation in subsection 5.4.2. Compassionate absences for remanded inmates or inmates who do not meet the criteria for temporary absence are at the discretion of the warden or designate.
3. When deciding whether an inmate is granted a temporary absence and determining the type and length of the absence, as well as conditions, several criteria are considered. When considering these criteria, it is important to obtain a good understanding of the following:
 - Offender risk;
 - Nature of offence and criminal record;
 - Lifestyle and associates, and how they might affect behaviour during a temporary absence; and
 - Intent of the court in imposing a sentence of imprisonment.
4. A temporary absence is not granted when the absence contradicts the court's intent to deter or incapacitate the offender, or offends the community's perception of justice.

5.4.2. Criteria for granting temporary absence

Criteria for deciding whether to grant a temporary absence are identified below in order of priority:

1. Public safety.
2. Inmate risk assessment.
3. Likelihood of escape or non-compliance.
4. Institutional classification.

5.4.3. Safety of the public

1. Public safety is threatened when it is believed, on reasonable and probable grounds, that an inmate:
 - May commit another offence;
 - Poses a danger to the public due to a pattern of violence, including criminal negligence causing death or bodily injury;
 - Has recent offences involving violence in a relationship;
 - Is serving a sentence for a sex offence; or
 - Has a history of sexual offences.
2. Inmates presenting a threat to public safety may only be granted a temporary absence for essential medical treatment, a transfer to mental health facilities, or release into police custody.

5.4.4. Inmate risk assessment

An assessment of the inmate's risk is determined by:

- Current community risk assessments (CRNA, SARA, STATIC/STABLE), for absences requiring overnight absence from the correctional centre; and
- Completed inmate assessment (IA), for work programs.

5.4.5. Likelihood of escape or non-compliance

Temporary absence may be denied, depending on an inmate's history of:

- Escape or being unlawfully-at-large; and
- Breaches of court orders or failures to comply.

5.4.6. Institutional classification

Remanded inmates or inmates who do not meet the criteria for temporary absence are only granted a temporary absence for:

- Essential medical treatment;
- Transfer to mental health facilities;

- Release into police custody; and
- Compassionate purposes.

5.4.7. Intent of sentence

The court's intent in imposing the sentence of imprisonment is not compromised.

5.4.8. Community performance

The inmate's behaviour and support in the community is assessed. When relevant to the proposed release, consideration is given to:

- Response to community supervision; and
- Suitability, support and stability of the inmate's family or domestic relationship.

5.4.9. Institutional performance

The inmate's institutional performance is taken into account, including:

- Behaviour and attitude displayed in the correctional centre during the current sentence (and past sentences if relevant); and
- Assessment of an inmate's capability to function with fewer controls than exist within the correctional centre.

5.4.10. Viability of temporary absence plan

The inmate's plan is:

- Realistic;
- Achievable; and
- Has been verified.

5.4.11. Supervision

Assessment of supervision is completed, if required. Consideration is given to the inmate's risk and needs, length and purpose of the absence, destination, and proximity to the source of supervision.

5.4.12. Outstanding charges

1. An outstanding charge may not be sufficient grounds to deny a temporary absence application. It is another factor to be weighed in assessing the application.
2. Circumstances concerning outstanding charges vary in seriousness, date of offence, reasons why the charge has not been addressed, and bail status.

5.4.13. Limitations on granting temporary absences

In addition to criteria outlined in sections 5.4.2 through 5.4.12, the following limitations on granting temporary absences are observed:

1. Citizenship: No inmate other than a Canadian citizen or landed immigrant is granted a temporary absence without first contacting the Canada Border Services Agency.
2. Deportation: If an inmate is or may be subject to deportation, Canada Border Services Agency authorities are consulted before the inmate is granted a temporary absence.
3. Parole suspension: An inmate on a parole suspension is not normally granted a temporary absence unless the Parole Board of Canada concurs.
4. Out-of-province: Temporary absences are not issued if the inmate plans to leave the province. This is due to problems involved in obtaining Canada-wide warrants if the inmate becomes unlawfully-at-large. Exceptions include compassionate absences or absences to accommodate an inter-provincial transfer.
5. Federal inmates: Federal inmates who: (1) are serving sentences in a provincial correctional centre under the provisions of the Exchange of Services Agreement between the Government of Canada and Province of British Columbia; (2) are serving life sentences with a specified minimum number of years to be served before parole eligibility (i.e. 10-25 years); and (3) are restricted in the types of temporary absences that may be granted. These restrictions, cited in section 746.1 of the *Criminal Code*, are as follows:
 - Prior to the last three years before the inmate's full parole eligibility date, the inmate may only be granted:
 - Escorted absences for humanitarian and rehabilitative reasons with concurrence of the Parole Board of Canada; or
 - Escorted absences for medical reasons without reference to the Parole Board of Canada.
 - During the last three years before the inmate's full parole eligibility date, the inmate may be granted unescorted absences as provided in the temporary absence policy, without reference to the Parole Board of Canada.

6. Civil prisoners:

- Prisoners detained in correctional centres for an offence under an act of Parliament or its regulations are eligible for temporary absence under provisions of the *Prisons and Reformatories Act*;
- When a prisoner is serving a sentence for criminal contempt of court, the program analyst at Adult Custody Division headquarters is contacted regarding eligibility for temporary absence; and
- Prisoners detained for civil contempt of court, failure to comply with a civil court order, and failure to pay maintenance under the *Family Relations Act*, are eligible for temporary absence under provisions of the *Correction Act*.

5.4.14. Sources of information

Decisions made by the designated authority are based on information contained in the following documentation:

1. Inmate's temporary absence application (form 7702), including proposed temporary absence plan.
2. A completed community assessment, when required.
3. CPIC and CORNET Client History, including Comments screen.
4. Pre-sentence report-if available.
5. Institutional report (progress report).
6. Institutional record sheet.
7. Community risk/needs assessment (CRNA) and inmate assessment (IA).
8. Case management or other relevant sources of information, including comments by victims.

5.4.15. Supervision by Community Corrections Division staff

1. When temporary absence does not require the daily return of the inmate to the correctional centre, supervision by Community Corrections may be necessary for the following types of absence:
 - Non-emergency medical;
 - Education or employment;
 - Rehabilitation/reintegration; and
 - Humanitarian.

2. When supervision by Community Corrections is considered a condition of an approved temporary absence, the responsible correctional centre contacts the local manager of the receiving Community Corrections office to discuss suitable conditions.

5.4.16. Required conditions for reporting to probation officer

All temporary absence authorization permits requiring supervision by Community Corrections include a condition:

- Requiring the inmate to report at the designated receiving Community Corrections office to a probation officer on a specified date; and
- Indicating the frequency of reporting as agreed upon by the correctional centre's releasing authority or other officer and the local manager of the receiving Community Corrections office.

5.4.17. Decision documentation

1. The decision-making authority documents reasons for granting or denying a temporary absence application on the CORNET Client Log.
2. A decision to grant an application identifies areas of risk and a plan to manage risk in the community.

5.4.18. Temporary absence authorization permit (form 7703)

When a temporary absence is granted, an authorization permit is completed as follows:

1. Conditions of the temporary absence are explained to and accepted by the inmate.
2. The inmate and decision-making authority sign temporary absence authorization permits. If the signing authority is not present when the inmate signs the permit, the officer witnessing the inmate's signature initials each signature.
3. The inmate keeps a copy of the permit during the absence.
4. The original permit is retained on file in the correctional centre releasing the inmate.
5. When an escort is assigned to accompany the inmate on the temporary absence, the escort is given a copy of the permit.
6. Copies of the permit are distributed as soon as possible after the decision to grant the absence to the following:
 - Supervising officer to whom the inmate is required to report as a condition of the absence; and
 - Police detachment in the area for which the temporary absence is approved.

7. Separate permits for different absences: A separate temporary absence authorization permit is issued for every different type of temporary absence after it is approved. For instance, one permit may be used to cover employment absences from a correctional centre, but a separate permit is required for a humanitarian absence.

5.4.19. CORNET entry

1. The conditional release co-ordinator enters temporary absence applications into CORNET.
2. The releasing centre enters temporary absence permits into CORNET, prior to the release of the offender.
3. A copy of the signed temporary absence permit is attached to the CORNET Client Log.

5.4.20. Role of releasing correctional centre

The conditional release co-ordinator ensures that:

1. Temporary absence permits requiring community supervision identify a clear reporting direction to the Community Corrections office where the offender will initially reside upon release.
2. The offender understands the conditions on the temporary absence permit and the obligation to report upon release to the probation officer at the specified Community Corrections office.
3. Offenders are processed accordingly when confirmed for transfer to a correctional centre that is closest to the community-based residential treatment facility where they will be released.
4. Prior to release, the offender's travel plans and approximate time of arrival are confirmed with the receiving Community Corrections office and, when applicable, the community-based residential treatment facility.

5.4.21. Confirmation of identity

Prior to the inmate leaving the centre on temporary absence, the identity is confirmed by referencing photos and information on the CORNET Client Physical Description screen.

5.4.22. Transfers

1. Inmates granted a temporary absence may be transferred to a correctional centre where the absence can be carried out most efficiently.
2. The originating centre forwards necessary information. It involves the receiving centre in processing the inmate's temporary absence application prior to granting the temporary absence.
3. When a transfer is necessary, the correctional centre's classification officer is notified immediately to authorize the transfer.

5.4.23. Inmate release from correctional centre (form 7807)

1. With the exception of a single absence under 24 hours, notification form 7807 is completed and forwarded to the police detachment in the area for which the temporary absence is approved.
2. The form is forwarded seven days before the inmate's scheduled absence. When this is not possible, the form is forwarded as soon as possible after the decision to grant the temporary absence.

5.4.24. Notification to victims of temporary absence decision

When K file and other victims request information from the Corrections Branch about an offender's institutional movements, placements and dates pertaining to parole eligibility and release, the conditional release co-ordinator notifies the victim, in writing, of the decision by the warden or designate. This is done in accordance with Corrections Branch policy (K files), and section 142 of the *Corrections and Conditional Release Act*.

5.4.25. Renewal procedure for absences requiring supervision by Community Corrections

1. Temporary absences requiring supervision by Community Corrections may be renewed for one or more 60-day periods upon reassessment of the case.
2. The initial review occurs approximately 15 days before the absence expires.
3. The conditional release co-ordinator (CRC) contacts the supervising probation officer at that time and requests a progress report.
4. The probation officer prepares a written progress report within five working days of receiving a request from the CRC. It addresses the following factors:
 - Changes in the assessed level of supervision indicated by the community risk/needs assessment (CRNA) since release to temporary absence;
 - Compliance with the terms of temporary absence; and
 - Recommendations regarding special conditions of the temporary absence linked to changes in assessed risk/need.
5. The CRC provides the warden or designate with a copy of the temporary absence, progress report, institutional information, updated sentence calculation and other relevant information.
6. If the temporary absence is not renewed, the probation officer directs the offender to report to the custody centre closest to where s/he resides.
7. Written reasons are provided to the offender if the temporary absence is revoked.

8. If the offender does not report to the custody centre, the offender is considered unlawfully-at-large and may be apprehended by the police without warrant. Procedures pursuant to section 5.5, Denials, Suspensions, Revocations, are followed.
9. The CRC ensures that records staff enter the AWOL status in CORNET.

5.5. *Denials, Suspensions and Revocations (revised: Apr-07)*

5.5.1. Authority

The designated decision-making authority for granting temporary absence has authority to suspend, reinstate and revoke temporary absence.

5.5.2. Notification to inmate

When a temporary absence is denied, suspended or revoked, reasons for the decision are communicated to the inmate in writing within 72 hours. A record is made in the CORNET Client Log.

5.5.3. Appeals

1. When a temporary absence is denied or revoked, the inmate may appeal the decision to the next level (i.e. warden or provincial director).
2. The responding authority replies with written reasons within 10 business days of receiving the appeal.

5.5.4. Suspension

1. Suspension involves temporary interruption of an approved temporary absence.
2. Reasons for suspension include:
 - Failure to abide by the purpose and conditions of the temporary absence;
 - Substantial change to the temporary absence plan;
 - Reasonable and probable grounds to believe the inmate has committed—or is about to commit—a criminal offence; and
 - Reason to believe the suspension is in the best interest of public safety, the correctional centre or inmate.
3. Suspended temporary absences are reinstated or revoked within 10 business days of suspension.

5.5.5. Violations when supervised by Community Corrections

1. When an offender is believed to have violated a condition of the temporary absence permit or suspension is required, the supervising probation officer immediately notifies the releasing correctional centre by telephone. A critical incident report summarizing circumstances of the alleged violation is submitted within one working day of the notification.
2. The critical incident report includes the following information:
 - Status of the offender;
 - Nature and effect of the critical incident; and
 - Recommendation.
3. When there is a suspension of the temporary absence, the releasing correctional centre contacts police to initiate apprehension of the inmate.

5.5.6. Revocation

1. Revocation is termination of an approved temporary absence.
2. Reasons for revocation include:
 - Withdrawal by an inmate of an approved temporary absence application;
 - Reasons for the temporary absence no longer apply;
 - The plan is no longer workable;
 - No alternative is immediately available; and
 - Reasons involved in an initial suspension.

5.5.7. Inmate return to centre upon suspension

1. If an inmate's temporary absence is suspended, and the inmate is directed to return to the correctional centre but does not return, the inmate is considered unlawfully-at-large. Police may apprehend the inmate without a warrant. An unlawfully-at-large charge may be laid and a warrant issued for the inmate's arrest.
2. A Corrections Branch officer may deliver a suspension notice to the inmate and escort the inmate to a correctional centre.
3. Authority for apprehending the inmate is section 495 of the *Criminal Code*.

5.5.8. Serious offences

The commission of a serious offence by an inmate on temporary absence is reported according to Critical Incidents-Investigation and Reporting, section 2.3 of the *Management Services Policy Manual*.

6. Parole

6.1. Introduction (revised: Apr-07)

6.1.1. Purpose of parole

The purpose of conditional release (also known as parole) is to contribute to the maintenance of a just, peaceful and safe society. This is accomplished by decisions on the timing and conditions of release that best assist the rehabilitation of offenders and their reintegration into the community as law-abiding citizens.

6.1.2. Definitions

1. For the purpose of defining parole, a sex offender is an offender who has been convicted, found guilty, or is subject to a section 810 recognizance under the *Criminal Code* for:
 - A sexual offence;
 - Another offence that includes sexual offending intent or behaviour; or
 - An historical offence that includes sexual offending intent or behaviour, even if the offender is serving a disposition for a non-sexual offence.
2. A spousal assault (K file) offender is a person who:
 - Committed a violent offence against another person with whom the offender is—or was—in an intimate relationship;
 - Is currently before the court or has been sentenced by the court; and
 - Is incarcerated or under supervision in the community.

6.1.3. Jurisdiction

The *Corrections and Conditional Release Act* provides jurisdiction when a provincial parole board has not been established in a province. With regard to offenders serving sentences in a provincial correctional facility in that province, the Parole Board of Canada has the same jurisdiction and discretion as for offenders under paragraphs 107(1)(a) to (c).

6.1.4. Parole Board of Canada jurisdiction

The Parole Board of Canada (PBC) has jurisdiction over the parole of offenders serving sentences of six months or more in provincial correctional centres. Exceptions are offenders:

1. Sentenced to life imprisonment as a minimum punishment;
2. Whose sentence has been commuted to life imprisonment;
3. Sentenced to detention for an indeterminate period; and
4. Sentenced to a provincial statute offence.

6.2. Administrative Services (revised: Apr-07)

6.2.1. Facilities

1. Correctional centres provide a space that is available to the Parole Board of Canada (PBC) for conducting conditional release hearings.
2. The space provides sufficient accommodation for a quorum of PBC members, support personnel, the inmate, observers and third party participants.
3. Centres provide for the privacy and security of PBC hearings.

6.2.2. Hearing schedule dates

Parole hearing dates are scheduled by the Parole Board of Canada and provided to the conditional release co-ordinator (CRC).

6.2.3. Screening—observers, third party participants, assistants, interpreters

1. Observers, third party participants, and offender assistants are approved by the correctional centre and the Parole Board of Canada (PBC) to participate in the hearing before they are permitted to attend conditional release hearings.
2. Approval to attend hearings does not apply to adjournments. Applications to attend an inmate's subsequent hearings, or hearings for another paroled applicant, are approved separately by the PBC.
3. Centres conduct a security clearance of participants and observers that the PBC authorizes to attend conditional release hearings. The warden determines clearance.
4. In addition to a security check, participants and observers authorized to attend conditional release hearings provide identification. They may be searched before being permitted to enter the correctional centre, as determined by the warden.
5. Participants and observers whose conduct within the centre jeopardizes its security and good order lose access to the correctional centre and are escorted from the property.

6.2.4. CORNET

The conditional release co-ordinator (CRC):

1. Enters all applications for parole on the Conditional Release Event screen;
2. Enters all hearing details about the conditional release event including revocation/termination hearings; and
3. Updates CORNET whenever there is a change in offender status and information.

6.3. Victims (revised: Dec-10)

6.3.1. Definition

A victim is a person as defined in part 1, *Corrections and Conditional Release Act* (CCRA) and the *Victims of Crime Act* (B.C.)

6.3.2. Victim-participation at PBC hearings

1. Victim participation in conditional release hearings is determined by procedures described in section 142 of the *Corrections and Conditional Release Act*; the *Victims of Crime Act*; *Violence Against Women in Relationships* policy (VAWIR, also known as K files); and the *Parole Board of Canada (PBC) Policy Manual*.
2. Only victims approved by the correctional centre to enter the correctional centre and approved by the PBC to observe a hearing may attend conditional release hearings. The PBC office processes observer applications, liaises with the correctional centre, approves/denies the application, and notifies the offender if observers are attending the hearing.
3. Victims approved to observe or present a statement in person at conditional release hearings must provide identification. They may be searched before being permitted to enter the correctional centre, as determined by the warden.
4. The warden or designate ensures that victims are notified of any application for parole by a K file offender and provides them information on how to:
 - Contact the regional communications officer with the Parole Board of Canada to obtain information regarding the parole process, their involvement in the parole hearing, and notification of outcomes; and
 - Contact the Victim Safety Unit to receive assistance with the Parole Board of Canada's registration process.
5. In instances other than K file offenders, the onus is on the victim to contact the regional communications officer (RCO) at the PBC regarding process and involvement in the parole hearing.
6. Inquiries received at the PBC are reviewed by the RCO.

6.3.3. Written submissions by victims to PBC

1. The conditional release co-ordinator (CRC) sends a letter to the K file victim. The letter invites the victim to register with the Parole Board of Canada (PBC) and/or make a written submission to PBC.

2. When victims wish to make a submission to the PBC, the regional communications officer (RCO) informs the victim, in writing, that addresses, phone and fax numbers of victims are removed before their written statements are disclosed to the offender.
3. If, due to safety concerns, the victim requests that his or her statement is shared only in summary form, the RCO considers the request.
4. The RCO returns the written statement to the victim and does not keep a copy on file. In rare cases, the statement is retained and only a summary is given to the offender.
5. When the victim does not declare confidentiality, the RCO reviews the victim's submission and assesses risk factors. When risk is perceived, the RCO contacts the victim to verify the intention not to declare the submission confidential.

6.3.4. Observers

1. Victims and other members of the public, including the media, may apply to observe Parole Board of Canada (PBC) hearings. The regional communications officer (RCO) recommends that all victims have a support person apply as an observer to accompany the victim.
2. Persons under 18 are not ordinarily permitted to observe a PBC hearing. However, exceptions may be made on a case-by-case basis.
3. Observer applications are submitted to the PBC. The application is then sent to the conditional release co-ordinator (CRC). The CRC notifies the PBC whether the applicant is cleared for entry.
4. The RCO decides whether to approve the application and notifies the observer applicant in writing. If the application is refused, the RCO informs the applicant of the reason.
5. The RCO notifies the offender and the correctional centre in writing, if observers attend the hearing. The PBC informs the offender of the observer's relationship to the case (e.g. victim, victim supporter, journalist). It does not disclose the observer's name unless the observer is a victim who will read a statement at the hearing.
6. If the hearing is assisted by an Elder, the RCO asks the victim if the victim wishes to sit in the circle. If so, and the PBC member(s) agrees to allow it, the PBC might also permit a victim-supporter to sit in the circle, next to the victim.
7. The RCO is responsible for briefing and debriefing the observers. The CRC and/or a Correctional Service of Canada victim liaison co-ordinator may participate in the briefings.
8. The correctional centre provides a security officer when victims observe a hearing.

6.3.5. Victims who observe and present statements

1. Victims may present their prepared, written statements at Parole Board of Canada (PBC) hearings, by reading them in person. (Normally, they must be adults to observe.) They can also ask the PBC to play a recorded statement (no age restriction). A written transcript must be sent to the PBC giving adequate advance notice to the offender, usually at least 15 days prior to the hearing. The victim chooses whether the presentation occurs at the start or end of the hearing.
2. Victim requests to make a presentation in person are identified when the victim seeks permission to attend the hearing.
3. The regional communications officer (RCO) notifies the offender and conditional release co-ordinator (CRC) in writing when victims make a presentation at the hearing, indicating the format (read in person or play a recording). If the hearing is assisted by an Elder, the RCO asks the victim if the victim wishes to sit in the circle. In this case, Parole Board of Canada members rule on the request.
4. The RCO is responsible for briefing and debriefing victim-observers. If necessary, the victim is referred to Victim Services. The CRC and/or a Correctional Service of Canada Victim Liaison Co-ordinator may participate in the briefings.

6.3.6. Support for victim observers and victim presenters

Support persons who wish to accompany the victim send an observer application to the Parole Board of Canada and follow the usual observer application process.

6.3.7. Victims and no-contact orders

1. When there is an active no-contact order between the victim and offender, the Parole Board of Canada and correctional centre take measures to prevent contact before and after the hearing.
2. In exceptional cases, on the advice of Victim Services (usually when there is a proximity restriction), the conditional release co-ordinator (CRC) seeks a variation of the probation order or peace bond. This allows the victim to observe or participate in the hearing.

6.3.8. Notification of PBC decision to victims

1. Victims not registered with Parole Board of Canada (PBC)/Correctional Service of Canada (CSC):
 - When K file and other victims request information from the Corrections Branch about an offender's institutional movements, placements and dates pertaining to parole eligibility and release, the conditional release co-ordinator (CRC) notifies the victim in writing of the board's decision. This is completed in accordance with Corrections Branch K file policy.

2. Victims registered with PBC/CSC:

- The regional communications officer (RCO) notifies the victim in writing of decisions made by the Parole Board of Canada, including decisions to alter release conditions or revoke parole. In accordance with section 142.1 of the *Corrections and Conditional Release Act* (CCRA), the RCO may also notify the victim of special conditions imposed on the parole. When known, victims may be notified of a release destination.
- When parole is granted, in accordance with section 26(1) of the CCRA, the Correctional Service of Canada may notify the victim of the release date and destination.

6.4. Types of Parole (revised: Apr-07)

6.4.1. Day parole

1. Day parole is authority granted to an offender by the Parole Board of Canada (PBC) to be at large during the offender's sentence. After a minimum period has been satisfied, this measure prepares the offender for full parole.
2. Day parole may be granted to an offender for a period not exceeding six months. It may be continued for additional periods not exceeding six months. In each instance, day parole follows reviews of the case by the PBC.
3. The conditions of day parole require the offender to return each night to a correctional centre or approved community-based residential facility.
4. Offenders with a deportation (removal) order on file are not eligible to apply for day parole in accordance with the *Immigration and Refugee Protection Act*.

6.4.2. Full parole

Full parole is the authority granted to an offender by the Parole Board of Canada to be at large during the offender's sentence after a minimum period has been satisfied.

6.4.3. Parole by exception

Parole may be granted at any time to an offender:

1. Who is terminally ill;
2. Whose physical or mental health is likely to suffer serious damage if the offender continues to be held in confinement;
3. For whom continued confinement would create hardship that was not foreseeable when the offender was sentenced; or
4. Who is subject to an order to be surrendered under the *Extradition Act* and to be detained until surrendered.

6.5. Parole Eligibility (revised: Aug-12)

6.5.1. Day parole

1. Offenders serving a provincial sentence of six months or greater must serve one-sixth of the sentence before day parole may be granted.
2. Offenders serving an aggregate sentence of two years or more must serve the portion ending six months before full parole eligibility, or six months, whichever is greater, before day parole may be granted.

6.5.2. Full parole

1. Offenders serving a provincial sentence of six months or greater must serve one-third of the sentence before full parole may be granted.
2. Offenders serving a federal sentence of two years or more must serve one-third of the sentence or seven years, whichever is shorter, before full parole may be granted. A judge at sentencing can specify a different minimum portion to be served.

6.5.3. Parole by exception—special cases

Offenders may have full parole granted at any time if they meet the criteria in section 6.4.3. The criteria are in accordance with section 121(1), *Corrections and Conditional Release Act* (CCRA).

6.5.4. Calculation of eligibility

1. The records officer at the initial receiving centre computes the parole eligibility date.
2. The parole eligibility date remains constant. It is determined by length of sentence and governing legislation.

6.5.5. Notification of eligibility date

Upon receipt of an application for parole, the Parole Board of Canada completes a parole eligibility calculation. This information is provided to the inmate.

6.5.6. Multiple or additional sentences—recalculation of eligibility

1. When an offender has multiple sentences or receives additional convictions and the total sentence increases: The eligibility date is calculated by applying the eligibility requirements to the total sentence.
2. When additional sentences are imposed due to escape: The eligibility date is calculated by adding the consecutive sentence and number of days unlawfully at large to the original sentence.

3. Parole eligibility is calculated on this total, in accordance with eligibility requirements.
4. When the total sentence is increased as the result of the offender being unlawfully at large (suspended): The period of ineligibility is extended by the time spent between the date of suspension and date of apprehension.
5. When an offender is suspended and there are no subsequent sentences to affect the sentence length: The records officer overrides a new parole eligibility date to ensure that the original eligibility date remains constant.

6.6. Parole Board of Canada (revised: Aug-12)

6.6.1. Information to inmates

Information concerning conditional release, eligibility and application procedures that is provided by the Parole Board of Canada is posted within each centre. Written copies of this material are provided to inmates serving a sentence of six months or greater, within one week of their sentencing.

6.6.2. Application

1. Inmates serving terms of six months or more in a provincial correctional centre may apply for a conditional release. They have the right to a hearing by completing the application form.
2. Inmates apply approximately four months before parole eligibility to ensure that current information is available at the parole hearing. Inmates can apply for parole any time during their sentence.
3. When possible, offenders prepare their own conditional release plan.
4. Correctional centre staff may assist offenders in completing an application for conditional release.
5. Correctional centre staff assist inmates by identifying weaknesses, suggesting options, identifying community-based resources and ensuring that the application is complete.
6. The correctional centre maintains a record of conditional release applications and decisions regarding processing of the application.

6.6.3. Role of conditional release co-ordinator

The conditional release co-ordinator is responsible for:

- Assisting offenders with sentences six months or longer to complete applications for parole;
- Ensuring that parole applications are complete;
- Forwarding parole applications to the Correctional Service of Canada (CSC) parole officer;
- Requesting institutional reports;
- Collating information from the correctional centre for release hearings;

- Ensuring that inmates, who propose residence in a community-based residential treatment facility, are assessed for transfer to a correctional centre closest to that location in the event of a parole grant;
- Notifying K file victims;
- Networking with CSC parole officers and community resources; and
- Ensuring that all parole incidents are entered into the Conditional Release Event screen in a timely manner.

6.6.4. Case preparation information requirements

The conditional release co-ordinator (CRC) supplies the following information to the Correctional Service of Canada (CSC) parole officer:

- Application;
- Warrant of committal (all relevant);
- Adult Custody report;
- Institutional report;
- Victim information (including victim impact statement);
- Pre-sentence report, when available;
- Psychological/psychiatric reports (in custody);
- Psychological/psychiatric reports (court ordered);
- Report to Crown Counsel, if available;
- Information sheet, if available;
- Record of proceedings, if available;
- Judge's comments, if available; and
- Citizenship/immigration information (if not a Canadian citizen).

6.6.5. Institutional report contents

1. Initial classification decision.

2. Classification review and decision.
3. Summary of the inmate's progress at the centre including significant incidents from the Client Log and medical concerns.
4. Institutional plan and revisions, and assessment of release plan.

6.6.6. CRC—Day parole procedures

1. Thirty days after the inmate is released to day parole, the conditional release co-ordinator (CRC) contacts the supervising Correctional Service of Canada (CSC) parole officer to determine if the inmate is applying for full parole.
2. Contact with the supervising CSC parole officer is recorded in the Client Log.
3. Seven days prior to the inmate's full parole eligibility date, the CRC receives notification via the Notification slate, which reminds the CRC to contact the supervising CSC parole officer to determine if the inmate has applied for full parole.
4. If the inmate is granted full parole, the CRC advises the records officer of the date of release to full parole. Normal release procedures apply.
5. If the inmate is not granted full parole, the CRC advises the records officer. The inmate is released at probable discharge date upon successful completion of day parole. Normal release procedures apply.

6.6.7. Approved addiction resources

1. Correctional centres maintain an annually updated inventory of in-patient/out-patient addiction resources approved by their regional health authority.
2. When an offender is referred to participate in a community drug and alcohol program with a residential component: The alcohol and drug counsellor ensures that the residential placement is included on the inventory of approved addiction resources.
3. When an offender identifies a residential placement that is not included on the inventory of approved addiction resources: The offender is advised of concerns regarding suitability and encouraged to pursue an approved placement.

6.6.8. Method of disclosure

1. All relevant information considered by the Parole Board of Canada (PBC) for decision-making, is provided to the inmate in writing and in the official language requested. Disclosure occurs at least 15 days before the hearing date.
2. The Correctional Service of Canada is responsible for carrying out disclosure of the relevant information with the inmate.
3. The PBC ensures that relevant information it has considered is provided to the inmate.

4. Corrections Branch documents and/or third party documents are not provided to offenders or their assistants. Requests for documents are forwarded to the Corrections Branch or information and privacy section.

6.6.9. Corrections Branch staff attending hearings

1. The conditional release co-ordinator (CRC) is designated by the warden to be available and attend the hearing, if required.
2. The staff member assists the Parole Board of Canada (PBC) as required.
3. Correctional centre staff may attend hearings at the request of the board in session. They answer questions, clarify issues concerning the inmate's plans, and update or amend reports.
4. To ensure fairness, there is no discussion about the applicant or plan immediately prior to the hearing or decision.
5. Comments are included in the institutional report and disclosed.
6. If it is necessary to pass other information to the board in session, the offender is made aware of the information. If it is controversial, the offender may request an adjournment to prepare a response.

6.6.10. Transfers before hearings

The following procedures apply when an inmate is transferred after applying for a conditional release:

1. A classification officer checks inmate files during reclassification interviews for conditional release applications.
2. When an inmate is transferred, the conditional release co-ordinator (CRC) is notified. The CRC contacts the Correctional Service of Canada parole officer and advises of the transfer.
3. When operationally possible, and with the exception of medical and behavioural reasons, inmates are not transferred to another correctional centre immediately following application for conditional release or within one month of a scheduled parole hearing.

6.6.11. Withdrawal of application

1. Pursuant to sections 122(6) and 123(7) of the *Corrections and Conditional Release Act*, an offender cannot withdraw their application for parole within 14 days or less of the commencement of their review hearing unless the reason for withdrawal is beyond the inmate's control.
2. When offenders wish to withdraw their application for parole, they submit the Postponement/Withdrawal form to the conditional release co-ordinator (CRC).

3. Upon receipt of a written and signed request to withdraw an application, the CRC immediately notifies the Correctional Service of Canada (CSC) parole officer and forwards the withdrawal form to the CSC parole officer preparing the case.
4. Once parole has been granted by the Parole Board of Canada (PBC), an inmate may not refuse release to parole. Inmates may apply to the PBC for an appeal if circumstances have changed since the time of the hearing.

6.7. *Hearing Decisions (revised: Apr-07)*

6.7.1. Notification of decisions

The Parole Board of Canada (PBC) is responsible for providing the inmate with its decision and written reasons.

6.8. Release Procedures (revised: Aug-08)

6.8.1. Effective date of release

1. The Parole Board of Canada (PBC) in session determines the release date with Correctional Service of Canada (CSC) staff.
2. When parole is granted prior to the eligibility date, the release date is the eligibility date or another date determined by the board in session and CSC staff.
3. When a decision is made to grant parole before the eligibility date (parole by exception), the board specifies the effective date of release.

6.8.2. Confirmation of identity

Prior to the inmate leaving the centre on full or day parole, the identity is confirmed by referencing photos and information on the CORNET Client Physical Description screen.

6.8.3. Parole for deportation (removal)

1. The Parole Board of Canada (PBC) may grant parole at normal eligibility when there is a deportation (removal) order on file under the *Immigration and Refugee Protection Act*.
2. When parole for deportation (removal) is granted, the conditional release co-ordinator (CRC) informs the immigration field office. This is done to confirm release, escort and travel arrangements for the parolee.
3. Refer to section 6.4.3(4), Parole by Exception— *Extradition Act*.

6.8.4. Parole certificate

1. The Correctional Service of Canada parole officer prepares conditional release documents and reviews them with the inmate prior to release.
2. The conditional release co-ordinator (CRC) is responsible for distributing copies of the parole certificate to the:
 - Inmate warrant file; and
 - Records supervisor.

6.8.5. Parole decision document

1. The Parole Board of Canada (PBC) is responsible for preparing the parole decision document.

2. The conditional release co-ordinator (CRC) is responsible for distributing the parole decision document to the inmate warrant file.

6.9. *Releasing Information to the Media (revised: Apr-07)*

6.9.1. Media

1. Corrections Branch staff do not disclose to the media Parole Board of Canada (PBC) hearing dates or names of board members involved in a case.
2. Questions regarding the PBC and requests for copies of its decisions are referred to the PBC Pacific Region.
3. Questions regarding the Correctional Service of Canada (CSC) are referred to the CSC Pacific regional headquarters.
4. Media enquiries concerning offenders and Corrections Branch activities are referred to the Director, Programs and Strategic Services at Corrections Branch headquarters.

6.10. Transfer of Jurisdiction (revised: Apr-07)

6.10.1. Request for community assessment

1. When an inmate requests authorization to live in another jurisdiction, the conditional release co-ordinator (CRC) forwards the request to the local Correctional Service of Canada parole office.
2. Necessary information and a signed acknowledgment of transfer form indicating acceptance or rejection from the receiving jurisdiction is presented at the hearing.

6.10.2. Probation following parole

1. When an offender makes an application for conditional release to another jurisdiction and has a probation order or conditional sentence order that follows parole supervision: The conditional release co-ordinator (CRC) contacts the Community Corrections office in British Columbia that has responsibility for supervising the order. This is done to:
 - Advise about the offender's application and potential need to apply for transfer of jurisdiction of the order if parole is granted;
 - Provide information regarding the offender's location; and
 - Confirm with the Community Corrections office that parole has been granted and the application submitted.
2. When a conditional sentence order begins or remains in effect following release, and an application for transfer of jurisdiction is made according to section 742.5(1) of the *Criminal Code*, the CRC contacts the Community Corrections office in British Columbia responsible for supervising the probation order. This is done to:
 - Advise about the offender's transfer; and
 - Provide information regarding the offender's location.

6.11. Suspension, Reinstatement and Revocation (revised: Aug-12)

6.11.1. Authority

A suspension or revocation of parole, or reinstatement of custody may be ordered by one of the following authorities:

- Member of the Parole Board of Canada (PBC);
- Person designated by name or position by the PBC chairperson; or
- Person designated by name or position by the commissioner of the Correctional Service of Canada (e.g. parole officer).

6.11.2. Options for suspension, reinstatement and revocation

1. Authorities identified in section 6.11.1 may, by warrant:

- Suspend the parole or statutory release;
- Authorize the apprehension of the offender, and
- Authorize the recommitment of the offender to custody until the:
 - Suspension is cancelled;
 - Parole or statutory release is terminated or revoked; or
 - Sentence of the offender has expired (i.e. final warrant expiry).

2. Actions listed in section 6.11.2(1) may be taken by one of the authorities when:

- An offender breaches a condition of parole or statutory release; or
- It is deemed necessary and reasonable to suspend the parole or statutory release to prove a breach of any condition thereof or to protect society may.

3. When a Correctional Service of Canada parole officer suspends the parole of an offender, copies of the suspension documents are distributed to the Parole Board of Canada (PBC) and police.

4. Upon apprehension of the offender, the parole officer forwards a copy of the suspension and apprehension warrant to the receiving correctional centre.

5. The offender remains in custody until the suspension is cancelled, a termination or revocation decision is rendered by the board, or the sentence expires (i.e. reaches the final warrant expiry date).

6.11.3. Automatic parole suspensions

1. Offenders on parole or statutory release who receive an additional custodial sentence, other than an intermittent sentence or conditional sentence order, will have their conditional release automatically suspended according to section 135 (1.1) of the *Corrections and Conditional Release Act*. For automatic suspensions to occur, the additional custodial sentence must be under an act of Parliament.
2. If an offender's parole or statutory release is automatically suspended, authorities identified in section 6.11.1 may, by warrant, authorize the offender's apprehension and recommitment to custody until:
 - The suspension is cancelled;
 - The parole or statutory release is terminated or revoked; or
 - Sentence expires according to the law.
3. When an offender on parole or statutory release receives an additional custodial sentence, the warden or designate immediately notifies the Correctional Service of Canada (CSC) and Parole Board of Canada (PBC) by email:
 - CSC: s.16
 - PBC: s.16

6.11.4. Communication protocol with CSC

When a parolee surrenders himself/herself to a provincial correctional centre:

1. During regular business hours, the records supervisor contacts the Correctional Service of Canada (CSC) parole office closest to the correctional centre.
2. After regular business hours, the records supervisor or other designated staff contacts the CSC regional duty officer at

6.11.5. Cancellation of suspension or referral to PBC

1. Following the offender's return to custody, CSC either cancels the suspension or refers the case to the Parole Board of Canada (PBC) for decision. Pursuant to section 135(3) of the *Corrections and Conditional Release Act* (CCRA), the following timeframes apply for an offender serving a sentence of less than two years: Within 14 days of the offender's recommitment or a shorter period, as directed by the PBC.
2. Automatic suspensions under section 135(1.1) of the CCRA cannot be cancelled by Correctional Service of Canada and must be referred to the board for review within the applicable days set out in section 135(3) of the CCRA (i.e. within 14 days after recommitment if serving a provincial sentence and within 30 days after recommitment in all other cases).

6.11.6. Post-suspension interview and report

When an offender's parole is suspended, the parole supervisor interviews the inmate at the receiving location.

6.11.7. Post-suspension decision

The Parole Board of Canada (PBC) is responsible for providing the inmate with its decision and written reasons.

6.11.8. Sentence recalculation upon revocation

If an offender's parole is revoked, the correctional centre recalculates the offender's sentence. A new probable discharge date is established.

6.11.9. Re-crediting remission—termination

When the Parole Board of Canada terminates parole, the offender is re-credited with earned remission according to section 6(4.2) of the *Prison and Reformatories Act*.

6.11.10. Re-crediting remission—revocation

1. Pursuant to section 6(9) of the *Prison and Reformatories Act*, the Parole Board of Canada determines the portion of remission, if any, that is re-credited to the offender when parole is revoked. The Corrections Branch is notified of the decision.
2. Upon revocation, the amount of remission the board may re-credit is all or a portion of the remission earned from the start of the original sentence to the actual suspension of the offender's parole.

6.12. Accelerated Reviews—Federal Offenders (removed: Aug-12)

Note: Accelerated reviews were abolished in 2011.

6.13. Statutory Release—Federal Offenders (revised: Apr-07)

1. Federally sentenced offenders are subject to release from custody after serving two-thirds of their sentence. This ruling is subject to the terms and conditions of the certificate of statutory release. Offenders are then supervised in the community. Statutory release only applies to federally sentenced offenders.
2. The Exchange of Services Agreement between Canada and British Columbia gives authority in all matters concerning federally transferred inmates. This authority exists for the duration of an inmate's incarceration and applies to the jurisdiction that has custody.
3. Correctional Services of Canada (CSC) has jurisdiction for the administration of the sentence for inmates transferred under the Exchange of Services Agreement.
4. CSC Pacific Region calculates statutory release dates. It provides a copy to the holding correctional centre.

6.13.1. Statutory release review date

The conditional release co-ordinator (CRC) advises the offender in writing of the statutory release hearing date.

6.13.2. Case preparation

1. The Correctional Service of Canada parole officer develops a process to prepare the case nine months prior to the statutory release date.
2. Statutory release hearings occur at least 60 days before the presumptive release date.

6.13.3. Statutory release reviews

1. Reviews are scheduled through the Parole Board of Canada (PBC). They occur at the correctional centre where the offender is incarcerated.
2. When an inmate refuses to attend a statutory release review, the inmate submits a written notice of refusal to the PBC.

6.13.4. Statutory release-suspension/ reinstatement/ revocation

Section 6.12 applies regarding parole suspension and revocation.

6.14. Detention Hearing—Federal Offenders (revised: Apr-07)

1. This section applies to inmates serving federal sentences in provincial facilities, according to the Exchange of Services Agreement.
2. Inmates can be referred to a detention hearing if they meet criteria set out in the *Corrections and Conditional Release Act*—Schedule I or II. Detention hearings assess the likelihood—before sentence expiry—of an inmate committing an offence causing death or serious harm to another person, a sexual offence involving a child, or a serious drug offence.

6.14.1. Referral

1. The assistant deputy minister, Corrections Branch, a warden, or staff member may refer inmates to detention hearings.
2. One year prior to the statutory release date, the conditional release co-ordinator (CRC) contacts the local Correctional Service of Canada parole office. This reminder ensures that there is adequate time to address a referral.

6.14.2. Notification of hearing

The Parole Board of Canada (PBC) notifies the inmate of the date of the detention hearing.

6.14.3. Disclosure of information

1. The Correctional Service of Canada parole officer discloses information to the inmate pertaining to the detention hearing.
2. The disclosure occurs within 15 days of the hearing date.
3. Information arriving within 15 days of the hearing is disclosed as soon as it is received.

6.14.4. Detention hearing—appearance waiver

1. If an inmate waives the right to appear at a detention hearing, the conditional release co-ordinator (CRC) explains the rights being waived.
2. When an inmate waives the right to appear at a detention hearing, the inmate signs a waiver and provides reasons.
3. The Correctional Service of Canada parole officer forwards written waivers to the Parole Board of Canada (PBC).

6.15. Appeals (revised: Apr-07)

An inmate may apply in writing to the Parole Board of Canada (PBC) Appeal Division in Ottawa within 60 days of the date of decision.

7. Administration

7.1. Warden's Responsibility

The warden of a correctional centre is responsible to the provincial director, Adult Custody Division, for the management, operation and security of that correctional centre.

7.2. Information—Recording and Disseminating (revised: Aug-12)

7.2.1. Exchange of critical information

1. The warden ensures that local policies are in place to provide for the passage of critical information from one shift to another. Critical information includes but is not limited to:
 - Security alerts;
 - Security deficiencies;
 - Inmate dynamics and unusual occurrences; and
 - Information that may affect:
 - Unit security;
 - Staff safety; and
 - Inmate safety.
2. Strategies to achieve this goal may include:
 - Overlapping shifts by supervisors;
 - Staggered start and finish times for line staff;
 - Regular and situational briefings;
 - Muster briefings and reports;
 - Log book entries;
 - Living unit summaries;
 - Shift summaries;
 - Critical incident/ information files; and/ or
 - Electronic communication, such as email.

7.2.2. Living unit and program area records

Log books are maintained in living units and programs areas. Information to be recorded includes:

- Current date;
- Assigned staff member and hours of shift;
- Equipment check;
- Living unit inmate count at start of shift;
- Visual checks;
- Formal counts;
- Living unit and program area counts;
- Identification counts;
- Inmate movements on and off the unit or program area;
- Visitors to the unit or program area;
- Unusual occurrences;
- Emergency response codes;
- Living unit lock and unlock times;
- Searches of inmate living areas;
- Physical security checks; and
- Living unit cell inspections.

7.2.3. Supervisor's responsibility

Shift supervisors ensure that staff are briefed on any situation or condition that may affect the safety/ security of a unit under their responsibility.

7.2.4. Staff responsibility

Staff are responsible for reviewing shift exchange information, daily living unit summaries, log books and other relevant information relating to their assigned area of responsibility. Staff initial written information to certify they have read it.

7.3. Reporting Inmate Counts (deleted: Oct-09)

7.4. Correspondence (revised: Dec-10)

7.4.1. Correspondence

“Correspondence” means business letters, reports, publications, directives and evaluations.

7.4.2. Categories

There are two categories of administrative correspondence within the Corrections Branch:

1. General—informs staff on matters of general policy or information.
2. Confidential—contains personal or evaluative information relating to operational security, staff, inmates, programs or developments within the Branch.
3. Section 7.4.7 provides procedures related to inmate correspondence.

7.4.3. Handling correspondence

1. The correctional centre establishes procedures for the receipt and distribution of general and confidential correspondence.
2. Personal and confidential correspondence (including “to be opened by addressee only”) is held in safekeeping and not opened unless instructed by the addressee.

7.4.4. Urgent correspondence

If delivery is not immediate and there are no instructions from the intended recipient, the sender is advised of the delay.

7.4.5. Copying

Confidential correspondence is not copied if such action would likely result in general distribution.

7.4.6. Exceptions

The minister and designates may have access to all departmental correspondence except a medical record of an inmate, for the purpose of inspection. This is in accordance with the [Correction Act](#), section 27(3).

7.4.7. Inmate correspondence

1. The handling and processing of inmate correspondence is authorized in section 19 of the [Correction Act](#), and in section 13 (privileged communication) and section 14 (inmate communication) of the [Correction Act Regulation](#).

2. Correctional centres develop procedures for intercepting, examining, recording, monitoring and restricting inmate correspondence in accordance with the *designation matrix*.
3. Inmate mail is not read unless the deputy warden approves reasonable grounds for reading the mail.
4. Grounds for monitoring or restricting of mail must be documented.
5. The monitoring of inmate correspondence ceases when the grounds that initiated the monitoring are no longer valid.
6. When an authorized access of an inmate's correspondence discloses evidence of a criminal offence, the manager or correctional supervisor may relate the content of the accessed records to the police.
7. When police seek to seize or access a record, staff only release or allow access to the record upon receipt of a search warrant or court order.

7.5. Access to Information (revised: Jul-12)

7.5.1. Introduction

1. Current and former inmates and third parties may request to see Corrections Branch files or other information held by the Branch, in accordance with the *Freedom of Information and Protection of Privacy Act*.
2. The *Management Services Policy Manual*, chapter 13, details procedures that are in line with the *Freedom of Information and Protection of Privacy Act*, for reviewing, authorizing and releasing file materials.

7.5.2. Information sharing

1. Confidential information may, by law or casework, and as provided for under the *Freedom of Information and Protection of Privacy Act* (FOIPPA), be shared with other agencies.
2. Such distribution is made in a manner in keeping with the FOIPPA classification.
3. A person who is or has been a staff member shall not disclose information learned in the course of his or her duties except as required by those duties, as authorized by the warden or as required by due process of law.

7.5.3. Information sharing with Canada Border Services Agency

1. Canada Border Services Agency (CBSA) has contracted the Corrections Branch to care and house its administrative detainees. Held according to the *Immigration and Refugee Protection Act* (IRPA), these detainees are subject to an administrative—rather than criminal— process. According to the IRPA, CBSA maintains ultimate responsibility for their care and housing during their term of custody.
2. Confidential information may be shared with other agencies according to the *Freedom of Information and Protection of Privacy Act* (FOIPPA).
3. The CBSA liaison officer or other designated contact person is advised of significant events involving immigration detainees, including:
 - Escorts to hospital or for other medical emergencies;
 - Transfers between correctional centres;
 - Hunger strikes or fasting;
 - Assaults or fights;
 - Serious non-co-operation or violence toward correctional staff; or

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- Other behavioural concerns that may affect the proper care and management of the detainee.
4. When an immigration detainee with a communicable disease is being removed from the correctional centre, the escorting CBSA staff are advised in advance.

7.5.4. Information sharing with Information Access Operations

1. A service level agreement between the Ministry of Justice and Shared Services BC establishes the provision of freedom of information services by Information Access Operations (IAO) to the Corrections Branch.
2. IAO manages all requests for records from current and former inmates and third parties. These request for records are also called freedom of information (FOI) requests.
3. IAO receives FOI requests directly from applicants and communicates with branch staff to define, clarify and/ or narrow the scope of the requested records.
4. Branch staff make reasonable efforts to identify, locate and retrieve records and document all searches for records. They forward found records to IAO in a timely manner. Records are forwarded in electronic format when possible.
5. IAO reviews the records for scope and to ensure they meet the terms of the FOI request, and applies severing according to the *Freedom of Information and Protection of Privacy Act* (FOIPPA).
6. Branch headquarters staff review the recommended severing and make the final decision regarding release of the information to the applicant.

7.6. *Inmate Abuse*

7.6.1. Purpose

The Corrections Branch has zero tolerance for abuse or intimidation of inmates by staff.

7.6.2. Staff reporting requirements

1. Staff members report incidents of abuse of inmates to the shift supervisor in writing.
2. The shift supervisor notifies the warden or deputy warden of operations and an investigation is conducted.

7.6.3. Investigation

1. Staff co-operate with an investigation by the Corrections Branch and/ or police.
2. Inmates involved in incidents with staff are referred to health care services for examination.
3. Police are notified of any incident involving possible criminal conduct.

7.7. Inmate Complaints

7.7.1. Authority

Refer to section 4 and 37 of the *Correction Act Regulation*.

7.7.2. Complaints process

1. Inmates are provided with information about the process for making a complaint to the warden of the correctional centre or the director, Investigation and Standards Office.
2. Staff members should attempt to resolve inmate concerns wherever possible and without unnecessary delay.
3. An inmate's written complaint, together with any information about attempts to resolve, must be forwarded as soon as practicable to the warden and be handled in accordance with section 37 of the *Correction Act Regulation*.
4. An inmate may make a written complaint to the director, Investigation and Standards Office in accordance with the provisions of section 28 of the *Correction Act*. Such complaints must be forwarded without delay.

7.8. Inmate Call Control System (revised: Jun-12)

7.8.1. Purpose

The Inmate Call Control System (ICCS) provides inmates with telephone access to the community. This system meets statutory and regulatory obligations while enhancing protection to victims, including threats to public safety.

7.8.2. Authority

Intercepting, examining, recording, monitoring or restricting inmate communication using the Inmate Call Control System is subject to Section 19 of the *Correction Act* and sections 13, 14 and 15 of the *Correction Act Regulation*.

7.8.3. Phone cards

1. Upon admission, inmates are issued a phone card.
2. Phone cards display the most recent full-face or frontal pose photograph according to CORNET image capture standards (refer to section 3.3.8).
3. Inmates use these cards to activate living unit telephones regardless of the type of call.
4. Phone cards may be used for:
 - Identification prior to leaving the centre for off-site work (refer to section 1.7.14);
 - Formal identification counts (refer to section 1); and
 - Medication distribution.

7.8.4. Phone card debit strip

1. The inmate phone card funds balance is recorded within the transaction account management system and accessed via the card.
2. To initiate or increase the debit balance, the inmate must follow corrections procedures. This allows for the transfer of funds from their trust account to their call control trust account.
3. Each centre implements procedures and forms for the transaction(s), set out in section 7.8.4(2).

7.8.5. Call types—toll calling

1. Telephone calls through the ICCS are normally subject to toll charges, described as either “debit” or “collect” calls.

2. Debit calls are subject to a charge against the inmate's call control trust account. This amount is set from time to time as directed by the ADM, Corrections Branch.
3. Collect calls are subject to a charge against the recipient. This amount is set from time to time by the Canadian Radio-television and Telecommunications Commission (CTRC).

7.8.6. Call types—subsidized calling

1. Calls normally associated with parties who have privileged communication are subsidized by the Corrections Branch and provided at no cost to the inmate.
2. A list of organizations and professionals authorized for toll-free calling is approved and maintained by the provincial director, Adult Custody Division.
3. A centre's ICCS administrator may enter individuals or organizations into the ICCS database if the party's identity or status is consistent with the toll-free list established in section 7.8.6(2).

7.8.7. Privileged communications

1. Call monitoring is governed by section 14(1)(a), (2) and (3) of the *Correction Act Regulation*.
2. Calls to individuals to whom privilege is extended by section 13 of the *Correction Act Regulation* are not monitored or recorded.
3. A phone number entered into the ICCS database as "privileged" is not monitored or recorded.
4. Inmates are directed to contact 1-888-952-7968 toll-free to request telephone numbers for client/solicitor communications to be entered into the database.
5. Such requests are received and investigated by the program analyst for verification.
6. Upon verification, the program analyst asks the local site manager to enter the phone number(s) in the database as "privileged".
7. The program analyst verifies the entry in the database.
8. The program analyst sends a letter to the inmate and solicitor within three business days of the inmate's request to confirm that the number was entered in the database or deny the request when verification cannot be achieved.

7.8.8. Call blocking

Each centre has procedures in place to:

1. Designate individuals or positions authorized to initiate or remove individual and/ or global call blocking.

2. Provide records of circumstances and justification for call blocking.
3. Provide a mechanism for inmates or other parties to dispute the validity of a block.

7.8.9. Phone card possession

Each centre ensures that rules are in place to:

1. Prohibit use or conversion of an inmate's phone card by another person.
2. Ensure that inmates retain possession of their cards at all times other than during transfer to courts or other centres.
3. Provide a new phone card to inmates whose appearance has changed significantly.
4. Charge a fee to replace phone cards intentionally or negligently destroyed or damaged by the inmate. This amount is set from time to time by the assistant deputy minister, Corrections Branch.
5. Provide alternate means of making privileged calls when the inmate's card is destroyed or damaged, and a new phone card cannot be provided.

7.8.10. Automated system notification

1. All ICCS calls include automated system notifications to the inmate and the called party at the point-of-call connection.
2. Automated system notifications are standardized as follows:
 - Debit call: "You have a call from [inmate name] at a B.C. Corrections facility. You will not be charged for this call. This call is from a correctional institution and is subject to monitoring and recording. If you do not wish to accept this call, please hang up now. To accept the call, press 0. To deny this call and prevent further calls from this facility, press 5. If this is a client/solicitor call, please do not discuss confidential legal matters until arrangements have been made to establish this telephone number as a privileged number that will not be subject to recording or monitoring. To do this, please call our toll-free number at 1-888-952-7968."
 - Collect call: "You have a collect call from [inmate name] at a B.C. Corrections facility. This call is from a correctional institution and is subject to monitoring and recording. If you do not wish to accept this call, please hang up now. To accept the call, press 0. To deny this call and prevent further calls from this facility, press 5. If this is a client/solicitor call, please do not discuss confidential legal matters until arrangements have been made to establish this telephone number as a privileged number that will not be subject to recording or monitoring. To do this, please call our toll free number at 1-888-952-7968."

- Privileged call: “This is a confidential call and will not be monitored or recorded. If this is a client/solicitor call and you wish to add additional telephone numbers for client/solicitor communications, please call 1- 888-952-7968 to make those arrangements.”

7.8.11. Notification

1. On admission to a correctional centre, inmates receive a written notice. The notice states: “All telecommunications, other than those to privileged parties, are recorded. Recorded calls may be monitored (i.e. listened to or otherwise accessed and reviewed) when the Director has individualized reasonable grounds to believe that an inmate’s telecommunications may disclose a threat to the management, operation, discipline or security of the institution, including a threat to public safety.”
2. Inmates are asked if they understand the notice. The Admission and Discharge staff member explains the notice if inmates state that they do not understand.
3. Inmates are asked to sign the notice. When an inmate refuses to sign the notice the staff member reads the contents of the written notice to the inmate and records this on the form.
4. Every telephone location has a conspicuous notice posted immediately adjacent to it. The notice is as follows: “All telecommunications, other than those to privileged parties, are recorded and may be listened to.”
5. Every telephone location includes posted notification identifying the process to establish a privileged phone number in the ICCS database.

7.8.12. Designation

1. ICCS user designation is categorized as follows:
 - Type 1 users – Records officer access (not able to access recorded calls);
 - Type 2 users – Access to recorded calls; and
 - Type 3 users – Access to recorded calls and administrative access to add users and change passwords as required.
2. Only a manager or correctional supervisor with written designation from the warden or designate is authorized to monitor calls or retrieve and listen to archived recorded calls.
3. All designations are signed and dated on form ICCS2.

7.8.13. Access to archived recorded calls

1. An ICCS record may only be accessed by a manager or correctional supervisor designated by the warden in circumstances when:
 - The warden has individualized reasonable grounds to believe that an inmate's telecommunications may disclose involvement in illegal activities, harassment or harm to others or a threat to the management, operation, or security of the correctional centre, including a threat to public safety. Refer to section 14(3)(a) of the *Correction Act Regulation*, or
 - The access is necessary to maintain or repair the recording system and is performed only for the length of time and to the extent that is necessary to effect the maintenance or repair. Maintenance or repair of ICCS includes accessing archived recorded calls for the purposes of investigating inmate dropped telephone call complaints. Refer to section 14(3)(b) of the *Correction Act Regulation*.
2. In each case of access, the manager or correctional supervisor completes the ICCS Record of Monitoring form setting out the grounds required by section 7.8.13 (1). The warden or designate signs and dates the Record of Monitoring form authorizing the manager or correctional supervisor to retrieve and listen to archived recorded calls.
3. Information received from police or other external agencies must be sufficient to establish the reasonable grounds identified in section 7.8.13 (1). In such cases, the rationale and source are noted on the form.
4. Any person wilfully accessing ICCS records outside of the justification set out in 7.8.13 (1) may be subject to disciplinary sanctions and/ or civil action.
5. Designated individuals in subsection 7.8.12(2) require written approval from the provincial director or deputy provincial director to retrieve archived calls from another correctional centre.

7.8.14. Monitoring calls

1. The warden or authorized manager or correctional supervisor exercises diligence in only listening to calls when there are reasonable grounds to believe that the inmate's conversations with third parties may disclose illegal activities, harassment or harm to others, or a threat to the management, operation, or security of the institution, including a threat to public safety. Refer to section 14(3) of the *Correction Act Regulation*.
2. Individualized grounds do not have to meet the standard of "reasonable and probable grounds." However, they must be consistent with some level of reasonable belief.
3. The reasonable belief must be associated with an inmate or even a group of clearly associated inmates.

4. In each case of access, the manager or correctional supervisor completes the ICCS Record of Monitoring form setting out the grounds required by section 7.8.14 (1). The warden or designate signs and dates the Record of Monitoring form authorizing the manager or correctional supervisor to monitor calls.

7.8.15. Dissemination of ICCS Records

1. When an authorized access of an ICCS record discloses evidence of a criminal offence, the manager or correctional supervisor may relate the content of the accessed records to the police.
2. When police seek to seize or access a record, staff only release or allow access to the record upon receipt of a search warrant or court order.

7.8.16. Disclosure of information

Each centre has procedures to:

1. Ensure that information retrieved from monitored phone calls is distributed within the centre in a controlled manner and on a “need to know” basis.
2. Provide for distribution of information retrieved from monitored calls to police or other agencies when there is:
 - A valid warrant or court authorization for the digital record,
 - Legislated authority, or,
 - Reason to believe that there is a threat to public safety.

7.8.17. Retention and destruction

1. When required, a hard copy (i.e. CD) of retrieved archived call recordings or call detail records is created in response to formal investigations including:
 - A critical incident review;
 - Investigation of staff or contractor misconduct; and
 - Situations when legal action has occurred or is likely to occur.
2. Materials created according to 7.8.17 (1) are retained on site for the current year, plus an additional two years. These materials are then moved to off-site storage.

7.8.18. Training (under review)

7.8.19. Disputes

1. Each centre implements a procedure whereby a manager or correctional supervisor responds to inmate disputes with respect to charged calls when the service is terminated without cause by system software or by the action(s) of an individual.
2. Activity that the inmate knows (or should have known) to be prohibited by ICCS, including but not limited to “third party calling,” is just cause for call termination.

7.8.20. Family urgency

Correctional centres have procedures to assist inmates in placing or receiving telephone calls with family or friends when a legitimate emergency is determined.

7.8.21. Indigent inmates

Correctional centres develop procedures that permit indigent inmates to place calls to:

- Legal counsel;
- Persons or agencies identified as “privileged” under the Regulations; and
- To family, following initial admission to custody.

7.9. Digital Video Recording (issued: Mar-12)

7.9.1. Purpose

Correctional centres maintain a digital video recording (DVR) system. This system meets statutory and regulatory obligations while enhancing safety and security for inmates, staff, and visitors.

7.9.2. Notification

Signs posted at the main entrance, inmate entrances, and in all living units clearly indicate that the correctional centre is subject to video monitoring at all times.

7.9.3. Access to records

A digital video recording (DVR) record is accessed only by correctional officers designated by the warden.

7.9.4. Training

All correctional officers responsible for managing digital video recording (DVR) records complete a course of study. The DVR course includes:

- Technical aspects;
- Policy constraints; and
- Dissemination of records.

7.9.5. Viewing of digital video recording records

Each centre has procedures related to viewing digital video recordings (DVR). These procedures ensure that:

1. DVR records retrieved from the video archive for viewing purposes are distributed within the centre in a controlled manner and on a “need to know” basis; and
2. DVR records used for training purposes are edited to protect the identity of individuals captured on video. Individuals must remain anonymous unless specific permission from the individual is obtained in advance of recording the video.

7.9.6. Disclosure to law enforcement agencies

1. Upon confirmation of an active investigation, a law enforcement agency may view, but not remove, digital video recording (DVR) records at a correctional centre.
2. When viewing DVR records at a correctional centre will not suffice, requests for copies of DVR records from law enforcement agencies are approved by the warden prior to release.

The warden approves the release of DVR records only upon written confirmation of an active investigation, including file number. The warden may request a valid warrant or court authorization prior to release of DVR records.

3. DVR records released to law enforcement agencies are placed on a digital video disc (DVD) that has the following information affixed to the label:

Be advised that any disclosure of this video could jeopardize the security of the correctional centre and safety of inmates and staff in the correctional centre. If you intend to disclose this video or any of the information on this DVD to anyone other than (insert police agency here) or Crown counsel, you are requested to provide advance notice to the Corrections Branch by calling 250-387-5098 to ensure that any security and safety issues are addressed.

4. The [DVR checklist](#) is completed and forwarded to the requesting agency.

7.9.7. Disclosure to non-law enforcement agencies or individuals

1. Requests for digital video recording (DVR) records from individuals other than law enforcement are approved by the policy and program analyst, Adult Custody Division, prior to release. The analyst approves release of DVR records only when there is:

- A valid warrant or court authorization for the digital record; or
- Legislated authority.

2. When possible, DVR records approved for release according to section 7.9.7(1) are viewed at the correctional centre by the requesting party rather than being placed onto a DVD for release.
3. DVR records that are approved to be released from the correctional centre are placed on a DVD that has the following information affixed to the label:

Be advised that any disclosure of this video could jeopardize the security of the correctional centre and safety of inmates and staff in the correctional centre. This video is not to be viewed by unauthorized persons, copied, or forwarded to another person or agency. This DVD is to be stored in a secure manner.

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4. If DVR records are requested under the *Freedom of Information and Protection of Privacy Act* (FOIPPA), the DVR records may be released electronically to Information Access Operations, Shared Services BC, when the DVR checklist is completed and the following note is included in the body of the email:

Be advised that any disclosure of this video could jeopardize the security of the correctional centre and safety of inmates and staff in the correctional centre. This video is not to be viewed by unauthorized persons. This video is to be stored in a secure manner.

7.9.8. Retention and destruction

1. Digital video recording (DVR) records are retained on the internal hard drive of each centre's digital video management system.
2. New digital video recordings overwrite existing recordings, beginning with the oldest recordings, when:
 - The internal hard drive is full; or
 - After 14 days.
3. DVR records retained for disciplinary purposes are saved on a designated shared drive within each centre. These records are retained for a minimum of one year following the conclusion of the disciplinary process.
4. When available, a hard copy of a DVR (e.g. DVD or CD) is created in response to investigations, including:
 - A critical incident review;
 - Investigation of staff or contractor misconduct;
 - Serious injuries; and
 - Situations when legal action has occurred or is likely to occur.
5. Records created according to section 7.9.8(4) are retained on site for the current year and an additional two years. These materials are forwarded to off-site storage for seven years and thereafter destroyed.

7.10. Security Clearance – Contractors and Volunteers (revised: Jul-12)

7.10.1. Introduction

1. Prospective contractors and volunteers who are to provide direct service to inmates must successfully complete a police record check (i.e. CPIC). Police record checks include the central repository for criminal records in Canada, the vulnerable sector database, and the local indices (e.g. PROS, PRIME, PIRS, LEIP) of the police agency co-ordinating the check.
2. All contractors and volunteers must also successfully complete a JUSTIN and CORNET history check prior to providing services in provincial correctional centres.
3. Individuals identified as professional visitors to provincial correctional centres who might be providing services within the centre (e.g. lawyer, police) do not require a police record, JUSTIN or CORNET history check.
4. Contractors must also successfully complete a criminal record check in accordance with the *Criminal Records Review Act* (CRRA). The process for completing these checks is described in section 3.3 of the *Management Services Policy Manual*. Mandatory CRRA rechecks are required every five years. Corrections Branch volunteers are not required to complete CRRA checks.
5. The process for reviewing police record, JUSTIN, or CORNET history checks is outlined in subsection 7.10.2.
6. In situations when a security clearance cannot be completed before direct service begins, contractors and volunteers are directly supervised by correctional centre staff.

7.10.2. Process for police record, JUSTIN, and CORNET checks

1. The warden or designate ensures the accuracy of personal information used to process police record, JUSTIN, and CORNET history checks. The following documents are required to verify this information:
 - Original birth certificate; and
 - Photo identification (e.g. valid driver's licence, provincial identification or passport).
2. When the name on the birth certificate is different from the current name, the identity of the contractor or volunteer is verified by reviewing a marriage certificate, divorce decree, change of name certificate or statutory declaration that links the contractor or volunteer's current name to the original name on the birth certificate.

3. The contractor or volunteer must disclose the results of a police record check to the warden or designate. The warden or designate returns the results of a completed police record check to the contractor or volunteer, or ensures they are securely destroyed.
4. The contractor or volunteer is responsible for paying any fees associated with security clearance checks.
5. Once a contractor or volunteer has received an initial security clearance, a police record check is conducted every three years. JUSTIN and CORNET history checks are conducted annually.
6. Correctional centres may accept proof of a completed security clearance acquired for other employment or volunteer work provided it meets the minimum standard identified in this policy.
7. A security clearance completed for one centre is valid at all provincial correctional centres. It is the responsibility of the centre admitting the contractor or volunteer to confirm that a satisfactory security clearance has been conducted.

7.10.3. Criteria used to grant, deny, suspend or cancel security clearance

1. The warden or designate makes the decision to grant, deny, suspend or cancel a security clearance for a contractor or volunteer. The following outlines the criteria used:
 - Nature of the offence(s);
 - Mitigating circumstances about the offence(s) that would contribute to the suitability of the contractor or volunteer to provide the proposed services, including:
 - Date of the offence;
 - Sentence;
 - Record suspension;
 - Comments offered by the contractor or volunteer;
 - Rehabilitative and other effort made by the contractor or volunteer;
 - Qualifications of the contractor or volunteer; and
 - Corrections Branch responsibility to ensure the safety and well-being of inmates.
2. When the results of a police record check indicate the existence of a criminal record, prior to granting clearance, the contractor or volunteer undergoes additional checks that requires the collection fingerprints. Contractors or volunteers who have been cleared previously may continue to provide services pending the outcome of the fingerprint check.

7.11. Electronic Disclosure—eDisclosure (revised: Jul-10)

The purpose of this policy is to provide inmates with reasonable access to eDisclosure material in a secure manner, subject to safety and security limitations within a correctional setting. Section 7.11.9 provides direction concerning inmate access to non-electronic disclosure material.

7.11.1. Definition

1. eDisclosure material refers to electronic evidentiary material provided by Crown counsel, defence counsel, or police to an inmate to prepare a defence in a criminal court action.
2. eDisclosure material may include a significant number of electronic documents, audio files, and video files.
3. Only eDisclosure material in the format provided by Crown counsel, defence counsel or police for use by a named inmate is accepted in a provincial correctional centre.
4. An inmate has a legal right to access eDisclosure material to the degree reasonably necessary to prepare that inmate's defence.

7.11.2. Electronic disclosure format

1. Only file types and formats compatible with and supported by correctional centre eDisclosure computers are permitted by the correctional centre for use by an inmate.
2. eDisclosure material is permitted only in CD or DVD formats, or on an external hard drive.
3. USB devices other than those allowed under section 7.11.2(2) are not permitted for security reasons.
4. eDisclosure material is confidential and may be subject to solicitor-client privilege between defence counsel and the inmate. Correctional staff do not view or authenticate eDisclosure material.
5. When correctional staff have reasonable grounds to believe that an external hard drive provided to an inmate may contain contraband: In the inmate's presence and after advising the inmate for whom the external hard drive was intended or who possesses the unit, correctional staff may physically inspect the external hard drive (actual device only, not electronic contents) to determine if it contains physical contraband.

7.11.3. Hardware

1. Adult Custody Division (ACD) provides dedicated eDisclosure computers that are specially configured to support eDisclosure material provided to inmates.

2. eDisclosure computers are configured with limited functionality to restrict their use only to eDisclosure material. For security reasons, these computers do not have, and are not permitted to have, Internet, network, wireless, copy, save, edit or print capability.
3. Because eDisclosure computers are view-only and do not have writing capacity, inmates are provided with an adequate supply of paper, pencils, and sealable envelopes to permit note-taking.
4. ACD eDisclosure computers are distinctly identified. They are issued to inmates only for eDisclosure purposes (viewing of and listening to eDisclosure material).

7.11.4. Correctional centre procedures

1. Correctional centres develop procedures by which an inmate may request access to a dedicated eDisclosure computer.
2. Correctional centres create and maintain a record of possession for each eDisclosure computer, including date of issue, name of inmate, condition of eDisclosure computer when issued and returned, and date returned.

7.11.5. Privacy and security

1. Correctional centres develop procedures to ensure that inmates who use eDisclosure computers have reasonable privacy when viewing eDisclosure material.
2. Correctional centres develop procedures to ensure that eDisclosure material is stored safely and securely when not in the possession of inmates.
3. Correctional centres develop procedures to ensure that eDisclosure computers returned by inmates that are no longer required are stored safely and securely.

7.11.6. Inmate access and use of eDisclosure computers

1. An eDisclosure computer is provided to an inmate upon request by an inmate, Crown counsel, defence counsel, or police, and with prior approval of the person in charge of a correctional centre.
2. Inmates may use eDisclosure computers to access eDisclosure material in cells during lockdown periods.
3. Inmates may take eDisclosure computers and eDisclosure material with them to court in accordance with procedures established by the escorting agency.
4. For security reasons, inmates are not provided access to a printer for eDisclosure purposes.
5. For security reasons, inmates are not permitted to use personal electronic devices to collect, store, or transmit eDisclosure material.

7.11.7. Acknowledgment by inmate—form

Prior to an eDisclosure computer being issued, inmates sign an acknowledgment agreeing that they are:

1. Responsible for maintaining the computer in the same condition as when it was provided.
2. Liable for damage to the eDisclosure computer including any technical alteration incurred during use.
3. Responsible for the safekeeping and security of eDisclosure material in their possession.
4. Responsible for removing all material from the eDisclosure computer when it is no longer required for the intended purpose.
5. Not using the computer for any purpose other than reviewing eDisclosure material, and understand that using it for any other purpose may result in disciplinary action.
6. When the computer is no longer required, any eDisclosure material not removed by the inmate as required by 7.11.7(4) will be removed and destroyed by correctional staff.

7.11.8. Issues management

Concerns raised by Crown counsel, defence counsel, or the police regarding an inmate's access to eDisclosure materials (that are unresolved at the correctional centre level in a timely manner) are reported to the Adult Custody Division policy and program analyst (programs) for resolution.

7.11.9. Non-electronic disclosure

Correctional centres develop procedures to provide inmates with reasonable access to non-electronic disclosure material in a secure manner, subject to the safety and security limitations within a correctional setting.

7.12. Operational Review (issued: Aug-12)

7.12.1. Purpose

1. An operational review is a formal process, initiated by the provincial director or the warden of the affected correctional centre to investigate:

- An incident of a serious nature, or
- A series of events or incidents with common characteristics

that might have a significant impact on a correctional centre or affect operations across the division.

2. In a thorough and timely manner, an operational review examines the facts of the incident(s) or events, relevant history of contributing factors, and possible cause(s). Interviews are conducted and documents are examined as part of the review process.
3. An operational review leads to the development of recommendations that avoid or reduce the likelihood of a similar outcome in the future.

7.12.2. When a review may be ordered

An operational review is conducted when:

- Any incident or series of events or incidents are out of the ordinary or contrary to practice and/or policy; or
- Any incident or series of events or incidents do not warrant a critical incident review, which are outlined in section 2.13.2.

7.12.3. Review process

1. An operational review is conducted according to terms of reference and scope identified in a letter of designation from the provincial director or warden.
2. The provincial director is notified prior to a warden initiating an operational review.
3. An operational review may be conducted by a manager from the affected centre or another centre as deemed appropriate by the provincial director in consultation with the warden.
4. An operational review begins within five business days of the incident.
5. The reviewing manager meets with the warden of the affected centre at the beginning of the operational review to discuss procedures and other information.

6. When requested, the reviewing manager is granted access to relevant people, areas or documents in a timely manner.
7. The reviewing manager conducts a closing meeting with the warden and responsible manager(s) to discuss findings.

7.12.4. Report

1. The reviewing manager submits a detailed report of the operational review to the senior authorizing manager (provincial director or warden) within 30 business days of the start of the review. If the review was initiated by the warden, the warden provides a copy of the report to the provincial director for approval prior to advising others of the report's details.
2. The report includes:
 - A review of the background to the incident or series of events or incidents, including relevant contributing factors;
 - Findings of fact, including factors that might be possible causes; and
 - Recommendations for changes that might reduce the likelihood of similar incidents or events occurring in the future.
3. Affected staff are advised of the background, contents and recommendations of the report in a timely manner, unless there are circumstances or legal constraints that preclude such disclosure.

7.12.5. Records

Unless otherwise required by law, all original records are stored securely at the reporting correctional centre.

7.12.6. Extension of time limits

An extension of time limits set out in this policy may be granted by the provincial director or warden upon request.

8. Inspections, Safety and Regulatory Services

Corrections Branch facilities are subject to inspection according to legislative requirements.

8.1. *Infection Control and Prevention (revised: Oct-09)*

8.1.1. Introduction

1. Staff and inmates in correctional institutions are recognized as being at risk for the transmission of infectious diseases including tuberculosis, hepatitis and HIV.
2. For this reason, all persons are considered potentially infectious.

8.1.2. Infection control information and educational program

1. Understanding and action are possible primarily through information and education.
2. A comprehensive educational program for staff and inmates is developed in all centres.
3. Wardens or designates implement the program in conjunction with local health professionals.
4. As part of recruit training, the Corrections and Community Justice Division (JIBC) provides supplementary information on transmission control and preventive measures.
5. Educational programs are developed that discuss communicable diseases generally and individual diseases specifically (i.e. AIDS and hepatitis).
6. At a minimum, the Adult Custody Division provides for:
 - Availability of information on transmission control and precautions to minimize transmission of infectious disease for inmates and correctional staff;
 - Instruction on use of items for infection control (i.e. condoms, lubricants and bleach); and
 - Opportunities to update staff and inmates about current information.

8.1.3. Placement/ classification

1. Housing assignments are consistent with normal security and special needs classification.
2. A physician or nurse only considers special/separate housing related to infectious disease following a recommendation.
3. Although the standard approach is to employ universal precautions, there may be an occasional need for specific handling information.

4. When a health care professional advises the warden or designate that an inmate presents a medical risk, information that does not reveal the diagnosis may be shared with staff in direct contact with the inmate. This information is communicated on the *CORNET Health Information* form and CORNET Client Log.

8.1.4. Vaccinations

1. Vaccinations are provided to inmates in accordance with standards set for the community by the Centre for Disease Control (CDC).
2. Inmates meeting the criteria for vaccination, established by the CDC, receive vaccinations on a voluntary basis.
3. Correctional officers are offered the hepatitis B vaccination at no cost. The vaccination (a series of three shots given initially and then at one and six month intervals) is started within 10 working days of the officer's initial work assignment. It is administered by the officer's family doctor or at a health care walk-in or travel clinic. Correctional officers may decline the hepatitis B vaccination. This refusal is recorded. If the officer subsequently chooses to have the vaccination, it is provided to them at no cost.
4. Staff (or their immediate family members) wishing to receive post-exposure vaccinations consult with their family physician.
5. Pregnancy assessment is made of all female inmates prior to vaccination.

8.1.5. Blood and body fluids

1. Body fluids are treated as potentially infectious.
2. Persons trained in safe techniques—either by officers or inmates directly supervised by officers—must clean up blood and spills of body fluids.
3. When handling body fluids, the following precautions are taken:
 - Wear disposable examination gloves;
 - Cover cuts and open wounds with clean bandages;
 - Wear coveralls when exposure is extreme (e.g. copious bleeding);
 - Wear surgical masks in cases of extensive contamination by body fluids;
 - Wash hands thoroughly with soap and water after removal of gloves;
 - Clean up spills of blood or body fluids promptly and thoroughly, using readily available materials; and

- Place potentially contaminated clothing and other items in clearly identified, impenetrable plastic bags for disposal or separate cleaning. Hazardous waste bags are clearly marked “BIOHAZARDOUS”.

8.1.6. Response to exposure to blood or other potentially infectious material

For the initial management of an exposure incident involving blood or other potentially infectious materials, the affected individual:

- Immediately seeks first aid from the on-site occupational first aid attendant; and
- Reports the incident to a supervisor and then goes to the nearest hospital emergency department within two hours of the incident for a medical evaluation. (Note: Reporting must not cause a delay in seeking medical attention).

8.1.7. Use of starter kit for management of accidental exposure to HIV

1. When it is not possible to attend a hospital according to section 8.1.6, the starter kit is used for employees, contractors and inmates of the B.C. Corrections Branch who have accidental exposure to Human Immunodeficiency Virus (HIV).
2. In consultation with health care personnel, the starter kit should be initiated within two hours of exposure to offer the best chance of preventing HIV transmission.
3. To initiate the starter kit, follow the Guidelines for Blood and Body Fluids Exposure Management for Staff and Inmates at B.C. Correctional Centres and The Management of Accidental Exposure to HIV, provided by the B.C. Centre for Excellence in HIV/AIDS.
4. Each centre has one kit. Each kit has 10 Stavudine 40mg capsules, 10 Lamivudine 150mg tablets, and 50 Nelfinavir 250mg tablets. The Ambulatory Pharmacy at St. Paul's Hospital in Vancouver sends the kit directly to the centres.
5. The starter kit provides enough medications for five-day anti-retroviral therapy. The exposed person should see a physician as soon as possible to determine the need for full 28-day therapy. The physician should contact the Ambulatory Pharmacy at St. Paul's Hospital (1-888-511-6222), if the full therapy is needed.
6. Each kit has a reorder form attached to the front. The form must be completed in full to receive a replacement kit. Fax the completed reorder form to the Ambulatory Pharmacy at St. Paul's Hospital (604-806-8675) to receive the replacement starter kit directly at the centre.
7. Forms received before 11 a.m. on business weekdays are processed and sent out the same day.
8. Because the starter kit contains prescription drugs, a written or verbal prescription from the centre physician is required to initiate the starter kit.
9. There is no charge for the starter kits if the reorder form is completed and faxed.

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10. Loss or misuse of the kit results in a \$200 charge to the B.C. Corrections Branch.
11. To avoid unnecessary wastage of medication, kits are reordered when a minimum of two months remains on the prescription.

8.1.8. Protective equipment—infection control kits

1. Correctional officers are issued and carry, while on duty, disposable examination gloves in a belt-worn pouch.
2. Each Emergency/ First Aid Kit contains a one-way valve mask (Laerdal Pocket Mask™).
3. When available, one-way valve face masks (Laerdal Pocket Mask™) are used whenever mouth-to-mouth resuscitation is required.
4. The following currently approved items, identified as an infection control kit, are available in centres:
 - Surgical masks;
 - Eye shields;
 - Standard issue coveralls;
 - Cleaning materials;
 - Disposable examination gloves; and
 - N95 respirator.

8.1.9. Exposure control plan

Correctional centres maintain an exposure control plan for the prevention and control of infectious diseases in the workplace.

8.2. *Control of Dangerous Substances*

8.2.1. Definition

1. “Dangerous substance” means any fluid, powder or mixture that—under certain conditions—burns, scalds, poisons, explodes, intoxicates or proves harmful to persons or property.
2. Dangerous substances include:
 - Paints and thinners;
 - Cleaning fluids;
 - Fuels—e.g. gasoline, kerosene, fuel oil;
 - Oils;
 - Acids;
 - Glues;
 - Special inks;
 - Caustic substances;
 - Inflammable liquids;
 - Defoliants;
 - Herbicides;
 - Fungicides;
 - Insecticides;
 - Fertilizers; and
 - Anti-freeze.

8.2.2. Storage

1. Stocks of dangerous substances required in the normal operation of any department are limited to quantities sufficient to meet specific needs.

2. When no longer required, such materials are removed from the user's department to a secure, centralized storage area.
3. Dangerous substances, when not in use, are kept locked in a secure receptacle within the user's department and the keys retained only by staff members.
4. The storage area is subject to the inspection and authority of the *Fire Services Act* and the *Public Health Act*.

8.2.3. Inventory

1. A complete inventory of all WHMIS controlled products is done once per year.
2. WHMIS controlled products are labelled and marked with hazard symbols.
3. Valid Material Safety Data Sheets are readily available.

8.2.4. Issue and use

1. Dangerous substances are issued, by the officer responsible, to inmates who work where these substances are necessary.
2. Only the minimum quantity, sufficient to accomplish the task during each period of work, is issued at one time. These substances are prepared and used under the direct surveillance of an officer.
3. An inmate's unauthorized possession of a dangerous substance constitutes a breach of *Correction Act Regulation*.

8.3. Occupational First Aid Certificates

8.3.1. Remuneration

Remuneration is paid pursuant to current collective agreements to staff members holding valid *Occupational First Aid Certificates* and performing first aid duties.

8.3.2. Establishment

Each facility establishes the number of staff members who eligible to receive remuneration for *Occupational First Aid Certificates*.

8.3.3. Authorization for remuneration

1. Authorization for remuneration to staff members holding *Occupational First Aid Certificates* is given by the warden.
2. A request for authorization is sent to the warden. A copy of a valid *Occupational First Aid Certificate* for the staff member for whom authorization is requested must accompany the request.

8.3.4. Deletion of certificate holder

If there is a deletion of a staff member eligible for remuneration as holder of a valid *Occupational First Aid Certificate*, notification of the deletion is given to the warden.

8.3.5. Notification of expiration of certificate

1. Notification of the expiration of *Occupational First Aid Certificates* is given by the warden. It is the duty of the staff member to renew the certificate. A copy of the new certificate is sent to the warden.
2. Staff members not renewing their certificates prior to the expiration date are no longer entitled to remuneration.

8.3.6. Change of certificate status

If the status of a staff member's certificate changes, the warden is notified and a copy of the new certificate is forwarded with the notification.

8.4. Fire Evacuation—Respirators/Self-Contained Breathing Apparatus

8.4.1. Fire Evacuation—WCB requirements

1. Workers' Compensation Board regulations require that when technical firefighting or rescue is included in the duties of staff, the regulated training and equipment requirements for firefighting or rescue, self-contained breathing apparatus regulations apply.
2. Although correctional centres use locking doors, gates and barriers to control inmate movement, the Workers' Compensation Board does not automatically require self-contained breathing apparatus (SCBA) except in firefighting.
3. During a fire, correctional officers assist in the swift and safe evacuation of persons from affected areas. Correctional officers are not expected or required to fight fires and do not perform technical firefighting. Correctional staff ensure inmates are evaluated by health care personnel following exposure to smoke or chemical agent.
4. Use of respiratory protection is chosen on the basis of a risk assessment, according to 8.33(1) WCB regulation.

8.4.2. Respirators

1. The Workers' Compensation Board has determined that, because correctional officers do not perform technical firefighting, the use of SCBA is not automatically required.
2. The Workers' Compensation Board has determined that full-face canister type respirators are required and provide sufficient protection for officers entering a smoke-filled area to evacuate people to a safe area.
3. Correctional centres acquire and maintain approved full-face canister type respirators for staff to use for building evacuation during a fire.

8.4.3. Self-contained breathing apparatus

1. When a risk assessment determines that self-contained breathing apparatus is required, correctional centres acquire and have available for use by trained staff, suitable types and numbers of units of self-contained breathing apparatus and related equipment.
2. When local policy (medium and open centres) require staff to enter smoke-filled buildings to rescue/remove inmates or fellow staff, WCB regulations for use of self-contained breathing apparatus apply.

8.4.4. Purpose of equipment

1. Self-contained breathing apparatus enables access to smoke-filled areas or areas containing toxic emissions harmful to health.
2. This access is for rescue purposes.
3. Each centre employing SCBA equipment acquires and makes available a copy of *CSA Standard Z94.4 – M1993*.
4. Matters concerning self-contained breathing apparatus (addressed through Z94.4 - M1993 but not through this policy) are noted and implemented per the standard by each centre using self-contained breathing apparatus.
5. The following issues are addressed in detail through the standard:
 - Selection of equipment;
 - Respirator facial fit; and
 - Cleaning, maintenance and storage of respirators.

8.4.5. Training

1. Officers using self-contained breathing apparatus are trained to Workers' Compensation Board standards.
2. Corrections Branch staff can function as on-site trainers after training co-ordinated through the Corrections and Community Justice Division, Justice Institute of British Columbia.
3. Following initial training, self-contained breathing apparatus on-site trainers require re-training and re-certification, determined by the Corrections Branch and regulatory authorities.

8.4.6. Refresher training

1. Officers using the equipment require refresher training according to WCB regulations and the Corrections Branch training curriculum. Refresher training ensures that staff are familiar with breathing apparatus and related equipment.
2. Refresher training includes putting on apparatus and related equipment, briefly operating equipment, removing, cleaning and returning equipment to its appointed place.
3. In addition to ongoing training, officers receive refresher training that includes a respirator facial fit test, blind test practicum, and written (pass/fail) test. This training is provided through the Justice Institute, in accordance with WCB regulations.
4. Officers who fail the written test are considered de-certified until they can pass the test.

8.4.7. Training records

1. Each correctional centre bound by this policy establishes a system that records SCBA training.
2. A complete training record for each officer is maintained.
3. The training record contains information relating to the amount and type of training provided to each officer as well as actual time the officer uses the equipment for respiratory protection.
4. Records are maintained by the centre's designated SCBA training officer or safety training officer.
5. Officers chosen for training and certification are physically fit and able to wear a respirator. When there is doubt about fitness or ability to wear a respirator, medical advice is sought from a physician knowledgeable about the work and conditions in correctional centres. The physician submits a report indicating if the officer is fit and able to wear a respirator.

8.4.8. Availability of officers

1. Each correctional centre governed by this policy establishes and maintains a staffing pattern to ensure that SCBA trained staff are on site at all times in numbers that satisfy Workers' Compensation Board regulations.
2. The actual number of qualified staff required to be on shift in each centre is established through joint consultation between the warden and the Workers' Compensation Board.
3. The maximum number of staff to receive training, to meet minimum staffing levels established for each centre, is determined and authorized by the provincial director.
4. Officers not trained or currently SCBA certified do not attempt to use self-contained breathing apparatus for any purpose other than participation in Corrections Branch approved training.
5. Officers who are not equipped with and actively using self-contained breathing apparatus and who are exposed to smoke or toxic emissions, exit areas of exposure and do not return until the possibility of dangerous exposure passes.

8.4.9. Use of equipment

1. Officers who are trained and currently SCBA certified only use equipment that is stored and maintained in keeping with Corrections Branch policies, prevailing standards or directives supplied by the manufacturer, Workers' Compensation Board and Canadian Standards Association.
2. Each respirator wearer ensures that the respirator is in working order prior to each use.
3. The wearer of a respirator checks the seal of the face piece immediately after donning the respirator.

8.4.10. Officers work in pairs

Officers using self-contained breathing apparatus work in pairs or larger numbers, and maintain communication (visual, voice or physical contact) at all times.

8.4.11. Oral communication

1. Oral communication while wearing a respirator, is often necessary to perform specific tasks. However, facial movements while talking may adversely affect the seal of the face piece. Use of mechanical and electronic speech transmission devices may minimize the possibility of face piece leakage when the wearer is speaking.
2. When a mechanical speaking diaphragm is part of the barrier between the respirator wearer and ambient atmosphere, it is frequently inspected for leakage and protected from puncture or rupture.
3. Respirators with electronic speech transmission devices having an electrical power supply are safe and approved for the hazardous atmosphere where they are used. **NOTE:** In extremely cold weather, battery power may be unreliable.
4. Sealed power sources are checked for the integrity of the seals. Connecting cables from microphones inside the face piece have gas-tight seals where they pass through the face piece.

8.4.12. Face piece seal

1. Individuals who are required to wear a respirator are clean-shaven to allow the face piece to adhere to the skin.
2. Respirators requiring close seals to perform effectively are not worn if an effective seal to the face of the wearer cannot be achieved and maintained.
3. Corrective lenses do not interfere with the seal of the face piece.
4. Contact lenses may be worn by individuals who wear a respirator.
5. No covering is used that passes between the sealing surface of a respirator face piece and the wearer's face.
6. Other personal protective devices or equipment do not interfere with the seal of the face piece and the face.

8.4.13. Acquisition of equipment

1. Each correctional centre governed by this policy acquires SCBA units and related equipment (fire-resistant overalls, gloves and helmets) in numbers satisfactory to the Workers' Compensation Board.

2. Various manufacturers offer acceptable equipment. Correctional centres consult the Workers' Compensation Board and local fire department prior to purchase.
3. Compatibility of respirators with local fire department equipment is a significant consideration.
4. SCBA units and related equipment are kept in locations selected for quick accessibility, high visibility and security from tampering.
5. Each correctional centre requiring self-contained breathing apparatus establishes a program of regular maintenance of all equipment.
6. Maintenance complies with recommendations furnished by equipment manufacturers and/or vendors as well as requirements of *CSA standard Z94.4 - M1993*. It includes a replacement of air in all cylinders at least once every three months unless otherwise specified by the equipment manufacturer or WCB regulations.

8.4.14. Maintenance records

1. A records system dedicated to the maintenance program is established by each correctional centre.
2. All maintenance is recorded in this system.
3. The system complies with CSA Standard Z94.4 - M1993.

8.4.15. Workers' Compensation Board

1. The Workers' Compensation Board has regulatory discretion with respect to SCBA policies. Corrections Branch policy and procedures addressing the following are subject to Workers' Compensation Board agreement:
 - Presence of equipment and apparatus;
 - Content and standards of training;
 - Patterns of staffing of trained officers;
 - Programs of maintenance; and
 - Records systems.
2. Each centre establishes liaison with its local Workers' Compensation Board representatives to ensure that local implementation of this policy is conducted in a manner acceptable to both the Board and the Corrections Branch.
3. All records maintained, relating to self-contained breathing apparatus, are made available to the Workers' Compensation Board upon request.

8.4.16. Designated co-ordinator

It is recommended that the wardens designate an officer to take responsibility for operations, training, maintenance and records with respect to self-contained breathing apparatus.

8.4.17. Report on emergency use

For every use of self-contained breathing apparatus in an emergency, a written report describing all circumstances, actions and results is prepared and forwarded via the provincial director to the assistant deputy minister, Corrections within five working days.

8.5. Staff Injury and Industrial Disease Reports

8.5.1. General

1. When a Corrections Branch employee is:
 - Involved in an accident;
 - Injured; or
 - Afflicted with a disabling industrial disease while at work and/or employed in the employer's business;
2. ...and the results are:
 - Death or critical condition with serious risk of death;
 - Treatment required by a registered medical practitioner;
 - Absence from work; or
 - Potential for causing serious injury;
3. ...the employer is responsible for reporting and investigating the accident/incident in compliance with provisions in the [Workers' Compensation Act](#); Workers' Compensation Board Industrial Health and Safety Regulations; Corrections Branch, Occupational Health and Safety Program Policy and Procedures; and the BCGEU Master Agreement.

8.5.2. Reporting procedures

1. Minor and major injuries are entered in the correctional centre's medical treatment book. Employee injuries and industrial diseases, of the type described in section 8.5.1 above, are reported by completing a number of Workers' Compensation Board forms. Refer to section 9.1 of the [Management Services Policy Manual](#).
2. It is the employee's responsibility to notify the supervisor as soon as possible after being injured or disabled by industrial disease.

8.6. Inspection of Correctional Centres (revised: Apr-12)

8.6.1. Authority

Section 27 of the *Correction Act* authorizes the inspection of correctional centres.

8.6.2. Designation

1. Inspection of correctional centres is the responsibility of the provincial director, Adult Custody Division, or designate.
2. The provincial director is responsible for establishing a regular inspection schedule.

8.6.3. Types of inspections

Inspection of correctional centres may relate to:

- A part or the whole of a centre's operation;
- A specific area, function or subject matter at one or more correctional centres; and
- Any matter or class of matters when directed by the provincial director, Adult Custody Division.

8.6.4. Conduct of inspections

1. Inspections are conducted according to terms of reference and scope that are identified in letters of designation.
2. At minimum, the inspection team consists of a manager who does not normally work directly with the centre to be inspected and a manager or correctional supervisor who is employed at the centre to be inspected.
3. Each centre to be inspected is advised in advance of the dates and subject matter of the inspection. The names of staff who will conduct the inspection are also provided.
4. The inspection team meets with the warden or responsible manager(s) at the beginning of the inspection to discuss procedures and other information.
5. The inspection team conducts a closing meeting with the warden and responsible manager(s) to discuss preliminary findings or matters when an immediate remedy is advisable.
6. When requested, inspectors are granted access to relevant persons, areas or documents in a timely manner.
7. Correctional centres develop procedures for accommodating the inspection process.

8.6.5. Report

A detailed report of the inspection—which summarizes the findings and includes recommendations—is provided to the provincial director, Adult Custody Division, within 30 business days of the commencement of the inspection.

8.7. Smoking Restrictions in Correctional Centres (issued: Jul-11)

8.7.1. Legislative authority—smoke-free workplace

The *Tobacco Control Act* and *Tobacco Control Regulation* of B.C. restricts the sale and distribution of tobacco and prohibits smoking in public places and workplaces.

8.7.2. Corrections Branch smoking policy

1. All correctional centres are smoke-free according to the Corrections Branch declaration on January 21, 2008.
2. Tobacco products are not available for purchase in correctional centres.
3. Correctional centres do not provide free tobacco products to inmates.
4. Any devices, such as electronic cigarettes, that are intended to simulate smoking are considered tobacco products for the purposes of this policy.
5. Correctional centres have procedures to ensure compliance with the *Tobacco Control Act* and *Tobacco Control Regulation*.

8.7.3. Secure correctional centres

1. Staff, contractors, visitors and volunteers are not permitted to smoke or carry tobacco products on their person within the secure perimeter of a secure correctional centre.
2. Staff tobacco products are stored securely only in locked offices or locker rooms outside the secure perimeter.
3. Tobacco products are not permitted in areas accessible to inmates.
4. Staff may smoke in designated smoking areas outside the secure building and not in view of the inmate population.

8.7.4. Medium correctional centres

1. Staff, contractors, visitors and volunteers are not permitted to smoke or carry tobacco products on their person within the fenced, secure area of the centre.
Exception: Staff and contractors may carry tobacco products directly between the exterior secure fence and locked offices or locker rooms for secure storage purposes.
2. Staff may smoke in designated smoking areas outside the secure fence and not in view of the inmate population.

8.7.5. Off-site work crews

Staff and inmates who work outside of the secure perimeter or away from the centre property are not permitted to possess or use tobacco products.

9. Inmate Health Care Services

9.1. Health Care Services (revised: Mar-12)

9.1.1. Purpose

The primary purpose of health care services is to treat illness, injury and disease to restore or improve the health of the inmate.

9.1.2. Health care requirements

Health care services, provided by qualified personnel, are available to all inmates.

9.1.3. Levels of health care

The following levels of care are provided:

- First aid;
- Emergency care;
- Primary care;
- Around-the-clock nursing care; and
- Isolation care capability.

9.1.4. Manuals of policies and procedures

The following policy and procedures manuals for delivery of health care services are maintained by the Corrections Branch:

- B.C. Corrections *Health Care Services Manual*.
- B.C. Corrections Health Care Records Users Manual.
- *B.C. Corrections Drug Formulary*.

9.1.5. Records

Health care records are established and maintained in the prescribed format outlined in the Health Care Record Users Manual:

- Health care records are maintained for each inmate.
- Health care records are kept separate from correctional records.
- Only Corrections Branch health care professionals have access to health care files and their contents.
- Health care records are subject to archiving in accordance with records management legislation.

Refer to the B.C. Corrections *Health Care Services Manual*.

9.1.6. Confidentiality

1. Confidentiality of personal information is maintained in accordance with the *Freedom of Information and Protection of Privacy Act* (FOIPPA). Section 33.2(c) of FOIPPA provides approved personnel the authority to review and sever personal medical records in response to access to information requests.
2. Information obtained from inmates by health care staff during assessment and treatment is confidential. The only exception is information entered on the CORNET Health Information form and CORNET Client Log updates. Such information is provided by health care staff to safeguard the safety and security of inmates and staff.

9.1.7. Health care space

1. The Corrections Branch provides adequate health care space, equipment supplies and materials to meet the needs of each centre.
2. Space is designed to permit the inmate to be examined and treated in private.

9.1.8. Nursing services—authority

Nursing services are planned, organized and administered by the warden in consultation with the nursing supervisor/ charge nurse at the centre or the health care contractor.

9.1.9. Registration and certification

Provincial licensing, registration or certification requirements and restrictions apply to health care personnel who provide services to inmates.

9.1.10. First aid certification/ medical distribution

1. The Workers' Compensation Board of British Columbia certifies occupational first aid providers.

2. Individuals other than health care professionals, whose job description requires them to distribute medication, are certified as having completed the training program in the Medication Distribution Handbook.

9.1.11. Orientation

1. The warden or designate provides orientation to health professionals employed in a correctional centre.
2. Orientation includes:
 - Security and control procedures;
 - Local procedures and routines;
 - Personal safety matters;
 - Adult Custody Division operating policies;
 - Emergency procedures, including response requirements to medical emergencies, fire and evacuation; and an
 - Overview of the organization of the Corrections Branch and justice system.

9.1.12. Health assessment/ mental health screening

1. Inmates, within 24 hours of intake, have a health assessment performed by a physician or a nurse acting under the direction of a physician and a mental health screening performed by a mental health intake screener.
2. When an inmate is transferred within the provincial correctional system and an initial health assessment and mental health screening have been completed, a repeat assessment and screening are not required unless an individual's condition is unstable or evolving, or a reassessment has been requested by a health care professional at the transferring centre.

9.1.13. Informed consent

1. Informed consent is obtained by the centre health care professional in all instances deemed appropriate by the director, Health Services.
2. Inmates have the right to refuse treatment.

9.1.14. Emergency health care

1. Emergency health care is available around the clock to all inmates.
2. The warden develops plans for:

- Emergency on-call physician services;
- Emergency evacuation of inmate from the facility;
- Use of emergency vehicle; and
- Use of designated hospital emergency departments or other health facilities;

9.1.15. Special health program

1. When a special health program approved by a health care professional is required for an inmate to address specific health problems, the centre arranges treatment, program and security measures necessary to provide for these medical needs.
2. An inmate requiring health care beyond the resources available in the facility is transferred to a facility where such care is available, or placed in hospital.

9.1.16. Health care requests

1. Health care requests are forwarded to health care professionals.
2. The warden or designate assists in establishing a mechanism so inmates can access health care without the intervention of correctional staff.

9.1.17. Infection control

1. Infection control information and training is provided to all institutional staff.
2. Infection control kits are available in designated areas of each correctional centre.
3. The director, Health Services approves contents of such kits.
4. Corrections Branch staff verifies on a regular basis that kits contain the required items.
5. Refer to section 8.1, Infection control and prevention.

9.1.18. Education programs

The Corrections Branch develops educational programs that address health issues. It also provides programs to help inmates avoid disease.

9.1.19. Research

Research involving inmate health care is:

- Conducted in compliance with federal and provincial regulations; and

- Approved by the assistant deputy minister in consultation with the director, Health Services and director, Mental Health Services.

9.1.20. Review process

The Corrections Branch ensures that a review process is in place to monitor and evaluate health care services.

9.1.21. Critical incident investigation

1. The health care contractor does not commence any investigation or review until the Corrections Branch, Investigation and Standards Office, and/or Office of the Coroner have completed their investigations. The health care contractor receives written confirmation of the completed investigations from the Corrections Branch prior to commencing its own investigation or review.
2. The health care contractor immediately provides all medical records requested by the chair of a critical incident review team.
3. Only the medical director, Corrections Branch, the director, Health Services and the director, Mental Health Services may access health care records as members of a critical incident review team.

9.2. Client Injury Management (revised: Apr-12)

9.2.1. CPR and AED training and use

1. Correctional officers are trained every three years in the administration of cardiopulmonary resuscitation (CPR) and automated external defibrillator (AED).
2. AED orientation and training is specific to the AED brand used in the correctional centre.
3. Correctional officers administer emergency first aid and resuscitation techniques, including CPR and AED, to an inmate in crisis until relieved by health care providers or emergency health services personnel.

9.2.2. Report of client injury form

1. In the event of an injury to an inmate, the report of client injury form, as well as an incident report, is completed.
2. Once completed, the form is stored at the correctional centre where the injury occurred and a scanned copy of the form is attached to the Client Log in CORNET.
3. When practical and medically assessed as serious, inmate injuries resulting from use of force or a critical incident are photographed.

9.2.3. Details to be entered on the report of client injury form

1. Sections of the report of client injury form to be completed include:
 - General information;
 - Details of incident;
 - Details of injury;
 - Comments by the correctional supervisor, health care attendant, inmate, and warden or designate; and
 - Management issues.
2. Details of the injury and how it occurred are entered on the form.

9.2.4. Health care attendant's comments

1. Without breaching medical confidentiality, the health care attendant enters brief comments in the health care attendant section of the report of client injury form.
2. The disposition of the case and followup care are also indicated in this section.

9.2.5. Assistant deputy warden's comments

The warden or designate endorses the form and indicates whether a critical incident review is recommended. Refer to section 2.14.8.

9.2.6. Distribution of injury report

Upon completion, a copy of the injury report is forwarded to:

- Deputy warden of operations, for the purpose of retaining the original form at the correctional centre where the injury occurred;
- CORNET Client Log, to be attached as a scanned copy; and
- Health care manager.

9.2.7. Notification

1. In the case of serious injuries or death of an inmate, the notification requirements of section 2.13 apply.
2. Serious injury is defined as requiring overnight admission to hospital rather than first aid treatment.
3. The report of client injury form is completed and distributed according to established procedures.

9.3. *Authorization for Medical Treatment*

9.3.1. General

1. All examinations, treatments and procedures affected by informed consent standards in the community are observed for inmate care.
2. In the case of minors, the informed consent of parents, guardians, or legal custodians applies when required by law.

9.3.2. Unobtainable consent

1. All general hospitals have a method for proceeding with emergency treatments when informed consent cannot be obtained.
2. Procedures used by the local hospital apply to individuals in Corrections Branch custody.

9.3.3. Refusal to grant authorization

When the parents or guardians of a minor refuse medical attention on religious, political or other grounds, the matter is referred to the director, Child Protection Branch, Ministry of Children and Family Development.

9.4. *Private Clinicians Visiting Inmates*

9.4.1. Interviews

An inmate in a correctional centre may be visited and interviewed by a private medical, psychiatric, or psychological clinician not on staff or otherwise retained by or under contract to the Corrections Branch.

9.4.2. Medical officer

When an interview is requested, the clinician is referred to the correctional centre's nursing supervisor/ charge nurse.

9.4.3. Security clearance

The warden, or designate, is contacted to:

1. Confirm that the inmate is in the correctional centre and available at the requested time; and
2. Authorize clearance for the clinician to enter the correctional centre at the time specified.

9.4.4. Expenses of clinicians

The fees and expenses of a private clinician are the responsibility of the inmate, not the Corrections Branch.

9.4.5. Costs to the Corrections Branch

Private clinicians may be billed by the Corrections Branch for extraordinary costs incurred by the Branch.

9.4.6. Treatment

A treatment program for an inmate advocated by a private clinician is not undertaken until the program is approved by the correctional centre's medical officer with regard to medical issues, or psychologist with regard to non-medical, mental health issues.

9.5. Dental Care, Dentures, Eyeglasses and Prosthetic Devices

9.5.1. Dental services

The Corrections Branch provides essential dental services to inmates when there is:

- Evidence of serious disease or injury that is curable or can be substantially alleviated;
- Substantial potential for harm to the inmate if care was delayed or denied.

9.5.2. Management of dental care

1. Dentists are responsible for management of the dental health care program and delivery of services to inmates.
2. They are responsible to the warden and director, Health Services, for quality of care.
3. The attending dentist, in co-ordination with health care and correctional staff, determines scheduling of inmates for dental care.

9.5.3. Services provided

1. When it is determined that dental care is essential, Corrections Branch provides service at no cost to the inmate.
2. Corrections Branch does not provide accelerated or extensive dental services prior to release for any condition that can be addressed by the inmate after release.
3. Corrections Branch does not provide elective or non-acute dental care, elective oral surgery, and orthodontic or cosmetic services.
4. Non-acute conditions that—in the opinion of the dentist—could become medical problems if left untreated during incarceration, may be addressed on a non-emergency basis.
5. Corrections Branch does not provide prostheses for pre-existing conditions except when it is medically essential during incarceration. The inmate must demonstrate that the existing dentition is inadequate to consume a prison diet. Inmates who have functioned adequately in that condition prior to incarceration are not provided prostheses.
6. Impacted teeth, including third molars, are extracted only if there is a history of serious problems or infection that cannot be managed with more conservative treatment. When conditions that existed prior to incarceration have been neglected by the inmate, the inmate may be required to contribute to the cost of treatment.
7. A deputy warden must authorize referral to a specialist and a cost estimate obtained prior to commencing treatment.

9.5.4. Dentures or partials

When, in the opinion of a qualified health care professional, it is injurious to the health of an inmate not to receive necessary dentures or partials, and the inmate is on a long-term remand or has a long period remaining on the sentence, they may be purchased:

1. An inmate who has the funds or resources, the inmate is required to pay from those funds, or obtain funds from their resources to pay, in whole or in part, for the dentures or partials. When the inmate can pay only part of the cost, the remainder is the responsibility of the Corrections Branch.
2. When the inmate is without funds or resources to purchase the dentures or partials, the entire cost is the responsibility of the Corrections Branch.
3. An agreement must be completed and signed prior to the commencement of the dental work or the fabrication of a dental prosthesis to replace missing or extracted teeth. This agreement represents a mutually acceptable financial responsibility between the inmate and the correctional centre regarding identified costs.
4. The Corrections Branch does not assume responsibility for replacing missing or extracted teeth, unless a determination has been made by a qualified health care professional that missing or extracted teeth may be injurious to the well-being or life of the inmate.
5. When the inmate's dentures or partials are lost or damaged, through no fault of the inmate, and in the absence of negligence or culpability of the inmate or other inmates, the entire cost of replacement is the responsibility of the Corrections Branch.
6. Inmates may purchase dentures or partials at their own expense if the purchase is approved by the health care professional.

9.5.5. Glasses and prosthetic devices

1. When a qualified specialist (e.g. optometrist, orthopaedic surgeon) judges that an inmate who is on long-term remand or has a long period of sentence remaining requires a prosthetic device (e.g. hearing aids, knee brace), to function normally or participate in a program, the same provisions for financial responsibility apply that are referred to in section 9.5.4, 1 to 3.
2. When the inmate's eyeglasses or prosthetic device(s) is lost or damaged, through no fault of the inmate, and in the absence of negligence or culpability of the inmate or other inmates, the entire cost of replacement is the responsibility of the Corrections Branch. The replaced eyeglasses or prosthetic device are of similar quality to the originals.
3. When eyeglasses or a prosthetic device is purchased entirely or in part with Corrections Branch funds, it is constructed with standard quality issue (e.g. standard frames and lenses).
4. Inmates may purchase eyeglasses or prosthetic devices at their own expense if the purchase is approved by the health care professional.
5. Routine eye exams while in custody are at the expense of the inmate.

9.6. Medication Distribution Guidelines (revised: Jan-11)

9.6.1. Medication distribution

1. Medication is distributed by a nurse or qualified personnel only. “Qualified personnel” means Corrections Branch personnel who have completed medication distribution training.
2. Corrections staff facilitate requests by health care staff to make direct in-person contact with the patient regarding the administration of priority medication. Refer to section 7.2, *Health Care Services Manual*.
3. Refer to section 7, *Health Care Services Manual*, for more information regarding medication distribution.

9.6.2. Medication label

1. All medication prescribed by a practitioner is labelled.
2. The prescription label is typed or machine printed.

9.6.3. Over-the-counter medication

Standing orders authorized by the physician(s) of each centre are followed if nurses or qualified personnel distribute over-the-counter medications to inmates.

9.6.4. Medication record

All medications, including contingency and over-the-counter medications, administered by a nurse or qualified personnel, are signed for and entered on the medication administration record.

9.6.5. Training

1. Training of qualified personnel is conducted by a pharmacist, physician or nurse certified as a trainer.
2. The pharmacist, physician or head nurse signs a form signifying completion of the course by the participant. The course participant signs the form to acknowledge receipt of medication distribution training.
3. A certificate of course completion is issued to the participant.

9.6.6. Methadone distribution

1. Administration of methadone is monitored so as to limit the opportunity for diversion.
2. Administration of methadone is directly observed by a health care professional.

3. Inmates receiving methadone treatment are frisk searched prior to the distribution of methadone for gloves, condoms, cotton balls, tissue, or any other items that may be used to receive and contain regurgitated methadone.
4. Inmates are directly monitored for 20 minutes by correctional staff following the ingestion of methadone to prevent diversion.
5. Correctional centres maintain procedures that ensure compliance and consistency of practice regarding the distribution of methadone according to provincial policy. Refer to section 10, *Health Care Services Manual* for more information regarding methadone distribution.

9.6.7. Self-administration

Inmate self-administration of medication—refer to Self-Administration of Medication, section 9.7.

9.6.8. Theft of controlled substance

1. Any loss, theft, or forgery of a controlled substance as defined in the *Controlled Drugs and Substances Act* is reported to the deputy warden of programs.
2. In accordance with Health Canada guidelines, loss, theft, or forgery of a controlled substance as defined in the *Controlled Drugs and Substances Act* is reported to the:
 - Local police immediately; and
 - Health Canada, Office of Controlled Substances no later than 10 days after its discovery.
3. The deputy warden of programs notifies the authorities identified in paragraph 2 above. Health Canada, Office of Controlled Substances is notified according to the following procedures:
 - To report loss or theft of a controlled substance, print, complete, and submit the “Loss or Theft Report Form for Controlled Substances and Precursors” found at http://www.hc-sc.gc.ca/hc-ps/alt_formats/hecs-sesc/pdf/substancontrol/substan/compli-conform/loss-perte/form_4010.pdf.
 - To report a forged prescription for a controlled substance to Health Canada, print, complete, and submit the “Forgery Report Form for Controlled Substances” found at http://www.hc-sc.gc.ca/hc-ps/alt_formats/hecs-sesc/pdf/substancontrol/substan/compli-conform/loss-perte/forgery_rep-rap-fau_ordonance.pdf.

9.7. Self-Administration of Medication

9.7.1. Definitions

For the purpose of this manual:

- “Nurse” means a registered nurse or registered psychiatric nurse, employed or under contract with the B.C. Corrections Branch;
- “Physician” means a medical doctor, employed or under contract with the B.C. Corrections Branch;
- “Pharmacist” means a pharmacist, employed or under contract with the B.C. Corrections Branch.

9.7.2. Approved medications

Inmates may only self-administer medications approved by the Medication and Therapeutics Committee.

9.7.3. Changes to approved medications

Health care or Corrections Branch staff may request that a medication be added or deleted from the self-administration list on the approved form.

9.7.4. Blister pack procedures

1. Medication is only ordered by a physician and dispensed by a pharmacist in a blister pack except when the dosage form prohibits such packaging.
2. Blister packs have instructions for self-administration on the label.
3. Medication is administered in solid, unaltered dosage form, when possible.
4. Such medication is packaged in blister packs with paper foil backing.
5. The pharmacist identifies blister packs that are self-administered with a green “for self-administration” label.
6. Blister packs without this green label must not be self-administered.

9.7.5. Non-compliance by inmate

1. A nurse may prohibit an inmate from self-administering medication if there is evidence of non-compliance or abuse.

2. Correctional staff may prohibit inmate self-administration, subject to review by a nurse. In such instances, medication continues to be administered in accordance with procedures for distributing non self-administered medication.

9.7.6. Contraband

Loose or non-issued medications, or tampered packaging, is considered contraband.

9.7.7. Inmate on temporary absence

Inmates on temporary absence take their issued medication and present the packages for inspection upon return to the centre.

9.7.8. Record keeping

1. Health care centres keep a record of self-administered medications issued. Documentation is included that inmates have received and understand instructions for self-administration.
2. Inmates must return empty or unfinished blister packages to the nurse by the medication stop date.
3. Correctional staff who seize expired medication or packages must ensure they are returned to the nurse.
4. Health care staff must return unused medication to the pharmacy. Once inmates have handled medication, it cannot be reused.

9.7.9. Transfer procedures

1. When inmates transfer from one centre to another, it is the inmate's responsibility to ensure self-administered medication is transferred along with other personal effects.
2. A nurse at the receiving centre reviews self-administered medication accompanying an inmate.
3. If medication is lost in transit, the inmate is responsible for advising the nurse at the receiving centre. With respect to non self-administered medication, the normal provisions for transfer apply.

9.8. Over-the-Counter Medication (revised: Jul-11)

9.8.1. Purpose

1. To promote inmate responsibility for personal health by allowing inmates to purchase certain over-the-counter preparations through canteens.
2. Inmates do not require health care approval to purchase these medications.
3. Inmates pay for these preparations, recommended by a doctor or nurse.

9.8.2. Approved list

1. The Corrections Branch approves a list of over-the-counter medications and preparations that are distributed.
2. Possession of these items does not constitute contraband.
3. Items on the list are not distributed by correctional staff or through health care.

9.8.3. Tylenol

1. The purchase of Tylenol is limited to two blister cards of 10 per card per week. Inmates must not have more than two cards in their possession at any time.
2. A blister card of Tylenol is available through a supervisor or in the control area of each centre. Inmates without money to purchase Tylenol may request it from the shift supervisor.
3. Inmates who urgently need Tylenol are referred to the nurse if they cannot access it through other means.

9.8.4. Cautions

1. Canteen access to over-the-counter medications must not be given to individuals at known current risk of self-harm or in instances when health care or corrections staff believe that the inmate cannot safely self-administer over-the-counter medications.
2. Inmates found hoarding Tylenol are denied access to this medication. In these cases, correctional staff consult with health care and alternatives are arranged.

9.9. *Inmate Hygiene*

1. Inmates are permitted freedom in personal grooming to the extent that their appearance and hygiene do not conflict with institutional requirements or regulations pertaining to health, safety and sanitation.
2. On admission to custody and as required, an inmate is provided with or given access to toiletries necessary for health and cleanliness.
3. Concerns regarding the level of an inmate's hygiene are addressed through the centre's health care centre and the centre's physician.
4. Facilities are provided for inmates to wash or shower with hot and cold water on a daily basis.

9.10. Inmate Mental Health

9.10.1. Transfers/ admission to a mental health facility—sentenced inmates

1. When it is necessary to transfer an inmate to a provincial mental health facility, the warden in consultation with a clinician, upon the written approval of the warden, may effect the transfer as follows:
 - The following documents are prepared and sent to the director of a provincial mental health facility:
 - Two certificates completed by two physicians in accordance with sections 22 (2), 28, 29 of the *Mental Health Act*.
 - An application for admission on the form prescribed in section 29(4) of the *Mental Health Act*.

Refer to the Adult Custody Division *Health Care Services Manual*.

2. Upon receipt of the above documents, the director of the mental health facility may admit the inmate to the facility for treatment. Once admitted, the length of the inmate's stay is in accordance with section 29(6) of the *Mental Health Act*.
3. When application is made directly to the director of a provincial mental health facility, and the inmate is accepted for admission, the correctional centre making the application releases the inmate by an emergency or non-emergency medical temporary absence authorization permit. Refer to sections 5.2.3 and 5.2.4.
4. When the inmate is not well by the time the sentence expires, the director of the provincial mental health facility re-certifies and retains the inmate under the *Mental Health Act*. When recovered, the inmate is released directly from the mental health facility. For this reason, personal effects should always accompany an inmate transferred to a mental health facility.

9.10.2. Remanded inmates—mental health

1. When a remanded inmate appears to be mentally ill, a medical opinion is obtained.
2. If psychiatric care is needed, Crown counsel is notified to initiate action.
3. Depending upon the circumstances, Crown counsel may decide to return the inmate to court:
 - To enter a stay of proceedings and have the inmate committed under section 22 of the *Mental Health Act*; or
 - To seek a 30-day remand for a psychiatric assessment, in reference to section 672.11 and 672.12 of the *Criminal Code*; or

- For a finding of unfit to stand trial, in reference to section 672.11(a) of the *Criminal Code*.
4. If (a) or (b) occurs, the inmate is escorted to the Forensic Psychiatric Institute, Port Coquitlam, under warrant by the court.

9.10.3. Treatment of inmates/ residents prior to transfer

The attending physician may order treatment to commence, if such treatment is essential to preserve the life or health of the inmate prior to transfer. This occurs when documentation under section 22 and 29 of the *Mental Health Act* has been completed for the transfer of an inmate to a provincial mental health facility (according to section 29 of the *Mental Health Act*) and the facility cannot accommodate the inmate.

9.11. Psychiatric and Psychological Reports (revised: Apr-07)

Psychiatric and psychological reports may be made available to authorized individuals upon request, including Crown counsel, members of the Parole Board of Canada, and probation officers, when the author of the report:

- Gives consent;
- Is not available; and
- The centre's physician believes that authorities should be advised of information contained in the report to protect the public or inmate.

9.12. At-Risk Inmate Surveillance

9.12.1. Officer in charge responsibilities

The warden or officer in charge of the shift co-ordinates information on at-risk inmates and is responsible for ensuring that:

1. Staff know the identity of an inmate declared as being at risk.
2. Minimum standards for surveillance of the inmate are established and the inmate is moved to a location where increased surveillance can be facilitated. When an inmate in medium custody is declared to be at risk, it may be appropriate to transfer the inmate to a secure setting.
3. Information is placed on the CORNET system, and the master and progress file
4. The inmate's name is entered on the at-risk list, which is posted for staff.

9.12.2. Minimum standards for surveillance

1. The minimum standards for surveillance of at risk inmates is based on placement, as follows:
 - Dormitory setting—no longer than
 - Personal cell in living unit—no longer than
 - Segregation or observation cell—no longer than or more frequently if required.
2. These general guidelines may be reduced under extreme circumstances. Checks are made on and recorded in the unit log.

9.12.3. Surveillance cameras

1. Inmates declared as being at risk and placed in segregation/ observation cells are subject to video monitoring.
2. Video recordings of inmates under observation are subject to the *Freedom of Information and Protection of Privacy Act*. There is no need to maintain such recordings unless the contents are used in respect to a decision regarding the inmate or as part of an investigation.
3. Inmates are advised by the posting of a sign, that they may be subject to video monitoring.
4. Recordings not used to reach a decision regarding the inmate within 48 hours or not comprising part of an investigation are not retained.

9.13. Suicide Prevention (revised: June-07)

9.13.1. Introduction

1. A primary responsibility of the Corrections Branch is to provide safe custody for all inmates in correctional centres.
2. The purpose of this policy is to assist correctional centre staff in preventing inmates from attempting and committing suicide by providing guidelines and procedures for:
 - Identification of suicidal inmates;
 - Assigning responsibilities to staff; and
 - Preventive measures.

9.13.2. Authority

1. Section 215 (1) (c) of the *Criminal Code* places a legal duty on everyone to provide “the necessities of life” to a person under their charge if that person is unable to do so because of detention, age, illness or insanity.
2. Section 215(2) makes it an offence for failing, without lawful excuse, to perform that duty, if the failure to perform the duty endangers the life of the person to whom the duty is owed or causes or is likely to cause the health of that person to be injured permanently.
3. Section 241 makes it an offence to counsel, procure or aid a person to commit suicide.

9.13.3. General responsibility

Staff must be continually alert to behaviour or information suggesting that an inmate is at risk for suicidal behaviour or self-harm. They must promptly report concerns to a supervisor and immediately intervene to prevent a suicide attempt or self-harm.

9.13.4. Information sources

1. It is important to identify suicidal inmates as soon as possible through Corrections Branch information systems and co-ordinated staff communication.
2. The following sources of information identify potentially suicidal inmates:
 - Admission—advice from police or sheriffs (VISEN plus), admission interview, staff knowledge of the inmate, previous progress logs, CORNET, JUSTIN, and CPIC, system comment screen;
 - Probation file—pre-sentence reports, community reports;

- Current observations—progress log, behaviour;
- Medical file—psychiatric or psychological reports, report of self-harm;
- Mail/ phone calls—“dear John/ Jane letters,” talking of suicide;
- Court decisions—found guilty, lengthy sentence, deportation, divorce, child custody, transfer;
- Family history—suicides among family or friends and warnings from family or visitors;
- Inmates—inmates often tip staff on suicide risks; and
- Mental health screen form.

9.13.5. Inmates at risk—factors

The following factors, singly or in combination, cause concern and may identify potentially at risk inmates:

1. Verbalizing about self-harm or suicide to staff or inmates.
2. Suicide attempts.
3. Psychiatric history and current depression.
4. Recent loss of spouse, girlfriend, boyfriend or significant friend.
5. Display of helplessness or no sense of future.
6. Unusual apparent calm that is inappropriate given current circumstances.
7. Giving away personal effects.
8. Remanded awaiting trial facing serious charges.
9. Normally involved socially with other inmates and institutional programs, then suddenly, for no apparent reason, turns inward and discontinues association with others.
10. No community resources (transients, no visitors, no supports).
11. Contesting deportation and facing curtailment of current relationships and possible consequences in home countries.

9.13.6. Inmates at risk criteria

1. Taking into account the risk factors described above and other relevant information, an inmate who presents a risk of self-harm or suicide may be recommended for at-risk status.

2. An inmate can only be declared to be at risk by a health care professional, warden or designate.
3. Removal of at risk status is done only by the warden or designate in consultation with a psychologist, physician, or psychiatrist.
4. A decision regarding the declaration of at risk or removal of this status is recorded in the health care record and CORNET Client Log. Names and positions are noted of individuals involved in the decision.

9.13.7. Record and report observations

1. Staff members report concerns regarding an inmate they believe may be self-destructive, or information regarding self-destructive or unusual behaviour, to the warden or officer in charge with a copy to the health care centre.
2. These observations and discussions are entered on the inmate's progress log.

9.13.8. Officer in charge responsibilities

The deputy warden or officer in charge of the shift co-ordinates information on at risk inmates and is responsible for ensuring that:

1. Staff are aware of the identification of an inmate declared as being at risk;
2. Minimum standards for surveillance of the inmate are established and the inmate is moved to a location where increased surveillance can be facilitated. When an inmate in medium custody is declared to be at risk, it may be appropriate to transfer the inmate to a secure setting. When an inmate in open custody is declared to be at risk, it may be appropriate to transfer the inmate to a higher level of custody.
3. Information is placed on the CORNET system, and the file is
and
4. The inmate's name is entered on the at-risk list and posted for staff.

Refer to section 9.12, at-risk inmate surveillance.

9.13.9. Preventive action

1. When staff are aware that an inmate is at risk, efforts are made to increase verbal communication with the inmate.
2. Reliance on mechanical surveillance (such as video or CCTV monitoring) and/ or removal of materials that could be utilized in suicide attempts, are not as effective as personal contact.
3. Staff may consider placing the inmate in a setting that increases contact with other inmates who might provide support. Moving the at-risk inmate to a special observation or health care unit may be appropriate if other strategies are ruled out or are deemed ineffective.

9.13.10. Access to media reports

1. At-risk inmates are often charged with offences reported in the media.
2. Due to the negative potential raised by exposure to media coverage of these events, at-risk inmates are not permitted access to media reports related to their case.
3. This prohibition includes newspapers, news magazines, radio and television. Access to media unrelated to the incident may be provided.

9.13.11. Transfer of at-risk inmates

When an at-risk inmate is transferred within the corrections system, the deputy warden ensures that the:

1. Receiving institution is informed in advance with as much detail as possible to ensure adequate surveillance is provided upon arrival;
2. VISEN plus coding is applied to the transfer documents;
3. Classification Alert (C.A.) is added to CORNET; and
4. Comment screen in CORNET system indicates “suicide alert,” advising the receiving institution of the inmate’s at-risk status.

9.13.12. Release procedures for suicidal inmate

When an inmate is declared at risk during incarceration and particularly if the inmate remains at-risk upon discharge, the MDO liaison staff alert community resources.

1. Staff completing the inmate release form 7807 provide information regarding suicide and at risk potential to local police.
2. Form 7807 alerts probation supervisors regarding released individuals who have probation orders to follow incarceration.
3. In cases of serious risk, local suicide watch or suicide follow-up groups are advised of the offender’s release.
4. Release of information to outside agencies must be consistent with the MDO protocol for information sharing and the FOIPPA.
5. The at-risk inmate is provided with information and telephone numbers of local suicide assistance groups or B.C. crisis lines, located inside the front cover of the telephone book.

9.14. Suicide Response

9.14.1. Contingency plan

1. Each centre has contingency plans, preferably in the form of checklists, to assist staff in responding to emergencies, including suicides.
2. Wardens ensure that their staff are aware of contingency plans. These plans are readily available with shift supervisors and include:
 - Emergency evacuation of the inmate from within the facility;
 - Use of emergency medical vehicle;
 - Use of one or more designated hospital emergency rooms or other suitable health facilities;
 - Emergency on-call physician when the emergency health facility is not located in a nearby community; and
 - Security procedures that provide for the immediate transfer of inmates.

9.14.2. Approved airway

Every secure centre provides staff training in the use of, and ready access to, an approved airway device in an emergency.

9.14.3.

9.14.4. Life-saving efforts

1. After initiating an alarm, correctional staff take immediate action to cut down, commence first aid and resuscitate.
2. Staff turn over life-saving efforts to medical responders upon their arrival and remain to assist as directed.

9.14.5. Secure scene

1. As soon as is practically possible, the victim's cell is secured for the preservation of evidence.
2. Staff efforts to save life take first priority. Staff are observant in these situations in the event foul play is later suspected, and/ or to assist in a coroner's inquiry or police investigation.

9.14.6. Reports

Each staff member who has knowledge of circumstances concerning the attempt or the suicide, or participation in such activities, prepares a written report as soon as possible that covers all circumstances.

9.14.7. C.I.R.T. notification

The Critical Incident Response Team (CIRT) is notified to provide debriefing assistance to staff.

9.14.8. Emergency procedures re: hanging

9.14.9. Emergency procedures re: slashing

9.14.10. Emergency procedures re: poisoning

9.14.11. Community medical services

1. In the case of a suicide attempt requiring community medical attention, immediate removal of the inmate to hospital under escort is arranged.
2. The rules and procedures covering emergency medical temporary absence apply. Refer to section 5.2.3.

9.14.12. Suicide information

1. Vancouver's S.A.F.E.R. group may be a valuable resource for Branch staff.
2. This resource group is not only interested in preventing suicide, but also helping families and individuals in bereavement following suicide.

9.15. Inmate Death (revised: Jul-08)

When an inmate dies as a result of a suicide or other means in a correctional centre and is pronounced dead by a medical doctor, the deputy warden or officer in charge informs the:

- Police authorities;
- Coroner's office;
- Provincial director, assistant deputy minister, according to notification provisions of section 2.13; and
- Chaplain who makes appropriate arrangements for notification of next of kin, according to section 9.15.1.

9.15.1. Notification of next of kin

1. The chaplain asks the local police or RCMP to notify next of kin about the death of the inmate.
2. In cases when the chaplain has developed a prior relationship with the inmate's next of kin, the chaplain consults with local police or RCMP to determine the most appropriate course of action for notifying next of kin.

9.15.2. Inmate burial

1. When an inmate dies in a correctional centre and no relative or executor claims the body for burial, the warden—in consultation with the chaplain—takes appropriate steps to have the body interred in a local cemetery.
2. When it is necessary for the warden to have the body interred in a local cemetery, the following procedures apply:
 - Sensitivity for the respect and dignity of the deceased; and
 - Ministry of Human Resources provides arrangements and costs for interment in a local cemetery.
3. Refer to section 9.15, Inmate Death.

9.16. Inmate Fasting (revised: Jun-12)

9.16.1. Definition

A “fast” is a complete and voluntary abstinence from nourishment by an inmate using unimpaired and rational judgment concerning the consequences.

9.16.2. Right to fast

1. Even though correctional staff are charged with providing the “necessaries of life” (section 215 of the *Criminal Code*) and the safekeeping of inmates within the correctional centre, inmates have the right to fast.
2. Staff do not interfere with an inmate’s exercise of this right, provided the inmate is:
 - Old enough to consent to their own medical treatment;
 - Mentally competent; and
 - Conscious.

9.16.3. Authority

Refer to section 16.3 of the Adult Custody Division *Health Care Services Manual*.

9.16.4. Notification

1. When it becomes known that an inmate is fasting, correctional staff ensure notification is given to the:
 - Warden or designate, who in turn informs the director, Health Services; and
 - Health care professional, immediately if the inmate has already been fasting for 24 hours or more, or within 24 hours if the inmate has commenced fasting.
2. Within 24 hours of receiving notification, the director, Health Services, in consultation with the director, Mental Health Services and the health care manager, determines whether compelling circumstances exist to warrant notifying the inmate’s next of kin. If compelling circumstances do not exist, informed consent may be sought from the inmate to initiate such contact. The warden or designate notifies the inmate’s next of kin upon the recommendation of the director, Health Services.
3. The assistant deputy minister, Corrections Branch, is notified of fasting inmates as soon as one of the following occurs. The fast:
 - Becomes a matter of public information;

- Seriously disrupts management of the correctional centre; or
 - Reaches the tenth day.
4. Continuous updates are provided to the assistant deputy minister on the inmate's health condition.
 5. Regular meetings occur among Corrections Branch management, Health Services director, the Mental Health Services director, treating physicians, and Legal Services Branch counsel to review the fasting inmate's progress.

9.16.5. Surveillance

While the inmate continues to fast, correctional staff:

1. Place food and water where it is available to the inmate at all times;
2. Keep the inmate under close observation, maintain frequent communication, and encourage eating;
3. Support frequent visits and discussions with close family members, friends or relatives who may persuade the inmate to break the fast; and
4. Inform medical staff immediately of a deterioration in the inmate's health, especially loss of consciousness.

9.16.6. Medical observation

1. When, in the opinion of a health care professional, there is a significant deterioration in an inmate's physical or mental well-being, the inmate is moved to a medical observation unit following consultation between the health care professional and correctional staff.
2. While in a medical observation unit, a health care professional regularly reviews the inmate's condition.
3. When possible, the inmate has reasonable access to daily activities available to other inmates in the correctional centre.
4. A decision to remove the inmate from a medical observation unit is made on the advice of a health care professional following careful medical assessment of the inmate's condition, and in consultation with correctional staff.

9.16.7. Transfer

When an inmate becomes unconscious, or when the clinician determines that the life and health of an inmate is threatened, the warden on the advice of the clinician transfers the inmate to a hospital facility by an emergency medical absence. Refer to section 5.2.3.

9.16.8. Record keeping

While an inmate is fasting, correctional staff keep a record, including:

1. Meals missed or refused;
2. Inmate's stated purpose for the fast;
3. Names and telephone numbers of close family members, friends or relatives who may persuade the inmate to break the fast;
4. Inmate's response to encouragement by staff, and other individuals in contact; and
5. Inmate's general appearance and condition.

9.17. *Transsexual Inmates*

9.17.1. Introduction

1. Transsexuals are individuals genetically of one gender with a psychological urge to belong to the other gender.
2. These individuals are characterized by discomfort about their anatomical gender and by behaviour associated with the other gender.
3. There is usually a desire to alter sex organs to function as a member of the other gender.

9.17.2. Transsexual treatment

After a psychological, psychiatric, physical and social assessment, a transsexual living in the community in a stable environment would normally progress through a treatment program as follows:

1. Psychological/ psychiatric evaluation to assess the person's transsexuality.
2. The person lives as a member of the other gender (e.g. dress, hairstyle) for a few years.
3. Hormonal therapy is initiated (causing changes in facial and body hair growth, breast structure).
4. Surgical removal of sex organs (e.g. castration—removal of testes; hysterectomy—removal of uterus, ovaries).
5. Surgical reconstruction of sex organs (e.g. penis, vaginal cavity).
6. Application is made to the courts and Vital Statistics Branch for official gender change on birth certificate.

9.17.3. New admissions

1. Inmates claiming to be transsexuals, who are admitted to provincial correctional centres without medical assessment, request an assessment to determine:
 - Validity of claim of transsexuality; and
 - Placement in a male or female correctional centre.
2. Correctional centre staff may request an assessment.

9.17.4. Re-admissions

On re-admission, when a previous medical assessment occurred, a reassessment is done to determine the inmate's progress in the treatment program (outlined in section 9.17.2, steps 1 to 6).

9.17.5. Treatment

1. Because the required levels of personal support may not be present in a correctional centre, progression in the treatment program is not expected while the inmate is in custody.
2. The inmate is maintained at the current level of treatment. For example, if the inmate is taking hormones in the community, the medication continues in custody.

9.17.6. Refusal to consent to medical assessment

An inmate who refuses to consent to a medical assessment is placed in a male or female correctional centre. This placement is made according to the best judgment of the correctional centre and/ or medical staff, based on the inmate's progress in the treatment program (outlined in section 9.17.2, 1 to 6 in accordance with criteria set out in section 9.17.7).

9.17.7. Procedure for medical assessment

1. Upon request for a medical assessment, the nurse is informed and arrangements are made for the inmate to be assessed by a medical doctor and psychologist and/ or psychiatrist as soon as possible.
2. While awaiting such assessment, the inmate is held separately from the general population in the correctional centre where the inmate was admitted.
3. Following assessment, the medical doctor informs the warden of the recommended placement.
4. Treatment of inmates confirmed as transsexuals follows established medical practice.

9.17.8. Placement criteria

Transsexuals who have not progressed beyond step 3 in the process, set out in section 9.17.2, are placed in a correctional centre consistent with their original gender.

9.18. Testing—Communicable Diseases

9.18.1. Introduction

1. Upon admission to a correctional facility, the intake nurse offers testing for communicable diseases to each inmate.
2. Testing is available on request to each inmate at intake and while in custody.

9.18.2. Voluntary testing—inmates

Testing is voluntary. Inmates wishing to be tested for a communicable disease make their requests to the health centre nurse or physician.

9.18.3. Voluntary testing—staff

Staff wishing to be tested consult their family physician or local health unit. If the reason for the test results from an on-the-job incident, W.C.B. forms must be submitted.

9.18.4. Inmate counselling

Pre- and post-test counselling is given to inmates requesting HIV and Hepatitis C testing. Ongoing counselling and support for individuals testing positive for HIV and/ or Hepatitis C is provided at the health centre.

9.19. Condoms

9.19.1. General

The Corrections Branch recognizes a duty to reduce the risk of sexually transmitted diseases among inmates. To meet this responsibility, adult correctional centres make condoms available to inmates.

9.19.2. Purpose

This policy provides guidelines for the distribution of condoms in adult correctional centres.

9.19.3. Definition

1. A condom is a prophylactic used to prevent the transmission of infectious disease.
2. For the purpose of this policy, the term “condom” refers to latex rubber condoms for male inmates or latex dental dams for female inmates.

9.19.4. Confidentiality

Staff ensure that confidentiality is maintained to respect the privacy of inmates who request or possess condoms.

9.19.5. Method

Condom distribution methods include availability in the:

- Health care unit; and
- Dorms/ living units.

9.19.6. Costs

Condoms are distributed to inmates free of charge.

9.19.7. Types

Latex condoms are distributed. Medical research indicates that latex is the most effective material to prevent the transmission of infectious disease.

9.19.8. Lubricant

Single-use packages of water-soluble lubricants (i.e. KY Jelly or Lubafax) are supplied with condoms to ensure maximum protection for users.

9.19.9. Education

Education on the use of condoms is provided to inmates in accordance with infection control policy, set out in sections 8.1.2 and 9.1.18.

9.19.10. Contraband

1. Staff who discover unopened condoms or lubricant packages in an inmate's possession do not confiscate these articles.
2. Inmates suspected of using condoms to smuggle contraband are disciplined through the normal process.

9.20. Bleach

9.20.1. General

As part of the Corrections Branch policy regarding control of infectious diseases, adult correctional centres ensure that filtered household bleach is available and accessible for inmate use.

9.20.2. Purpose

This policy provides guidelines for the distribution of filtered bleach in adult correctional centres.

9.20.3. Strength

To be fully effective in reducing the spread of infectious disease, full strength filtered household bleach is used as a disinfectant.

9.20.4. Distribution

1. Filtered bleach is distributed to inmates in secure centres in 30 ml bottles.
2. Each centre establishes a policy that details the method of bleach distribution based upon the following principles:
 - Freely available—in secure centres, filtered bleach is available in living units and may also be available through health care. Replacement supplies are checked on a daily basis and restocked as required. A minimum of five bottles is available in each living unit. In medium centres, filtered bleach can be in a centrally located, easily accessible location.
 - Readily accessible—there is a designated location in each secure living unit or open custody centre (e.g. washing-up areas, laundry, kitchen area) where replacement supplies are kept for exchange.
 - Replacement—filtered bleach is available in designated distribution areas where inmates can return empties and obtain full bottles.
 - Anonymity—the distribution (exchange) location provides maximum anonymity and does not require the inmate to approach a correctional officer to obtain bleach.
 - When health care is involved, bottles of filtered bleach for distribution are available at medication distribution times, during regular visits to the health care centre, and unit rounds.

- Minimizes risk of injury—filtered bleach for distribution to inmates in secure centres is in prescribed 30 ml bottles. Bottles are labelled to indicate that they contain filtered bleach and the date of decanting. If the option of self-decanting is used in medium centres, eye protection, funnels and pouring decanters are employed to minimize spills. Rubber gloves are provided to protect the skin.

9.20.5. Education

1. Education in the use of filtered bleach as a disinfectant is provided to all inmates in accordance with the infection control policy set out in sections 8.1.2 and 9.1.18.
2. Information regarding the use of filtered bleach as a disinfectant is provided by health care staff and posted in each unit.

9.20.6. Contraband

1. A single 30 ml bottle of filtered bleach is not considered contraband. Inmates who possess larger quantities (more than one portion of the amount distributed) are considered to have contraband.
2. Although some items commonly disinfected with bleach are contraband (i.e. hypodermic needles, syringes, tattoo kits) an inmate's use of bleach cannot be submitted as evidence for drug usage or other unacceptable activity.

9.20.7. First aid

1. The following first aid steps are used if someone is splashed with bleach:
 - Skin—remove contaminated clothing and wash contacted areas thoroughly; and
 - Eyes—flush thoroughly with water for 15 minutes while holding eyelids open. If ingested, have victim drink warm water. Do not induce vomiting.
2. Health care is immediately advised of incidents involving injuries related to bleach.

9.20.8. Central supply

1. Filtered bleach for distribution to inmates in secure centres is obtained from the designated central supplier. This ensures province-wide consistency in concentration, bottle size and labelling.
2. Bottles and caps are designed to reduce the ability to squirt the contents by squeezing the bottle.
3. Medium custody centres order filtered bleach in bulk containers directly from the Products Distribution Centre.

9.20.9. Posted notices

1. Each centre ensures that a notice is posted in each living unit indicating that bleach is corrosive and caution must be taken to avoid contact with eyes and skin.
2. The posting indicates that bleach is not to be ingested or mixed with other substances except water.

9.21. Use of Epipen

9.21.1. Authority to administer

1. Health care personnel dispense medication on the order of a physician if it is determined that an inmate has serious allergic reactions that require the use of an Epipen.
2. When health care personnel are unavailable, correctional staff administer Epipen pending the arrival of Emergency Health Services personnel.

9.21.2. Self-administration

An inmate who is subject to severe allergic reactions is provided with an Epipen for self-administration when:

- Residing in a camp facility;
- Working away from the correctional centre; or
- On a temporary absence.

9.21.3. Staff training

Correctional staff are trained in the administration of Epipen to respond when an inmate is unable to self-administer the medication (e.g. the inmate is unconscious).

9.21.4. Information to staff

Correctional staff are aware of an inmate's allergies, medication that is to be self-administered, and response in an emergency, whenever escorting an inmate outside of the correctional centre.

9.21.5. Advise Health Care Services

When an inmate self-administers Epipen, or correctional staff assist an inmate by administering Epipen, Health Care Services or Emergency Health Services personnel are contacted to respond on an emergency basis.

9.22. No Cardiopulmonary Resuscitation (No CPR) Orders (revised: Jun-09)

9.22.1. Authority to issue

1. Inmates who know they have a terminal illness or are at the end of their lives may request that no active resuscitation be started on their behalf. This request is made with the agreement of the centre physician who issues a No Cardiopulmonary Resuscitation order (No CPR). The order is maintained in the health care record.
2. When a No CPR order is issued, health care staff send an email to inform the centre's deputy warden of programs that a No CPR (HLTH 302.1) form for paramedics regarding a particular inmate has been placed in the shift supervisor's office.
3. Upon receipt of the email, the deputy warden of programs informs the assistant deputy warden of regulation who amends the Shift Summary report to include the following notation: "A medical alert exists for [inmate name]. More information is available in the shift supervisor's office for health care personnel only."
4. Only a physician may give No CPR orders to health care providers. Correctional officers do not receive No CPR orders from physicians.
5. For more information about No CPR orders, refer to the [Health Care Services Manual](#), Chapter 18.

9.22.2. Health care provider

1. Health care providers are responsible for administering No CPR orders.
2. Correctional officers have no authority to administer No CPR orders.

9.22.3. Correctional officer responsibility

Correctional officers administer emergency first aid and resuscitation techniques to an inmate in crisis until relieved by health care providers or emergency health services (EHS) personnel.

9.22.4. Shift supervisor responsibility

1. A No CPR order from a physician is retained in a sealed envelope marked "Paramedics" in the office of the shift supervisor.
2. When health care personnel are not on site during an emergency, the shift supervisor gives the sealed envelope to EHS personnel who use it to confirm a No CPR order.

9.23. Pregnant Inmates (issued: Jul-09)

9.23.1. Definitions

1. Child welfare worker: A person delegated under the *Child, Family and Community Service Act* (CFCSA) to provide child welfare services, including responses to suspected child abuse and neglect. A child welfare worker can be employed by the Ministry of Children and Family Development or a delegated Aboriginal agency.
2. Delegated Aboriginal child and family services agency: An organization that provides culturally-appropriate services to Aboriginal children and families. The agency's child welfare workers have delegated authority under the CFCSA to provide child welfare services, including responses to suspected child abuse and neglect.
3. B.C. Corrections case manager: A correctional supervisor or assistant deputy warden who is designated by the warden.

9.23.2. Overview

1. The Corrections Branch recognizes the special bond between mother and child, and acknowledges that experiencing pregnancy while incarcerated may be an especially difficult and complex time for female inmates. Correctional centres are unable to provide the safe and nurturing environment that newborns require. As a result, babies or children may not reside with their incarcerated mothers. The branch supports the mother/child bond in other ways that are reasonable in the circumstances.
2. To facilitate post-delivery mother/child visitation, every effort is made to allow pregnant inmates and incarcerated mothers to reside at the correctional centre closest to their home community.
3. B.C. Corrections facilitates access to appropriate pre and post-delivery resources as necessary in consultation with pregnant inmates and incarcerated mothers. This may involve contacting a resource deemed necessary including the local:
 - Health authority;
 - Aboriginal health authority;
 - Ministry of Children and Family Development (MCFD) office;
 - Hospitals; and
 - B.C. Corrections health care personnel.

4. If a pregnant inmate or incarcerated mother requests assistance from MCFD or a delegated Aboriginal agency in relation to arranging alternate care for her infant, a child welfare worker assists her in developing a plan that best meets the needs of the child.
5. The *Child, Family and Community Service Act (CFCSA)* requires that anyone who has reason to believe that a child has been or is likely to be abused or neglected, and that the parent is unwilling or unable to protect the child, must report their concerns to a child welfare worker. Often the responsibility of reporting a concern falls to a service provider. In a correctional centre setting, the service provider could include the inmate's case manager. More detailed information can be found in *The B.C. Handbook for Action on Child Abuse and Neglect*.
6. When child protection concerns exist, as outlined in section 13 of the *CFCSA*, a child welfare worker:
 - Assesses the situation to determine the suitability of parental and/or guardianship arrangements to ensure the safety and well-being of the infant; and
 - Determines the most appropriate response.

9.23.3. Pre-delivery role of the case manager, Adult Custody Division, Corrections Branch

1. When notified about an inmate's pregnancy, the case manager informs the pregnant inmate about the role of the correctional centre, public health and health care services, and child welfare worker or delegated Aboriginal agency regarding:
 - Support;
 - Child protection and guardianship services; and
 - Other resources available to her during the pregnancy.
2. The case manager obtains information from the pregnant inmate regarding her plan for care of the child.
3. If the pregnant inmate requests services from a child welfare worker or child protection concerns exist, the case manager notifies the Ministry of Children and Family Development of the inmate's delivery date and proposed plan for care of the child.

9.23.4. Pre-delivery role of MCFD staff

1. If a pregnant inmate requests the services of a child welfare worker or delegated Aboriginal agency, the Ministry of Children and Family Development (MCFD) is notified as soon as possible to assist the pregnant inmate to make plans for her baby.
2. If child protection concerns exist and a child welfare worker becomes involved, MCFD or a delegated Aboriginal agency is notified as early as possible to:

- Assess the suitability of the plan for the infant; and
 - Determine the most appropriate response.
3. In the event that the baby is born outside regular working hours and if a child welfare worker needs to be involved, the correctional centre contacts MCFD or the identified Aboriginal agency to implement the plan for care of the baby.

9.23.5. Pre-delivery role of B.C. Corrections staff

1. B.C. Corrections staff document the assessment and response of the Ministry of Children and Family Development (MCFD) or delegated Aboriginal agency regarding any protection concerns in the inmate's CORNET Client Log.
2. If MCFD or delegated Aboriginal agency is satisfied with the inmate's proposed plan for care of the child and no longer needs to be involved, corrections staff contact the child's intended caregiver to confirm post-delivery arrangements for the baby's care.
3. Corrections staff encourage pregnant inmates to take appropriate care of themselves during pregnancy. Self-care includes consuming regular meals and pre-natal vitamins, communicating and co-operating with health care staff, taking advantage of available pre-natal resources, and following prescribed treatment.
4. Corrections staff report any changes in the pregnant inmate's behaviour to the case manager, health care staff and centre management.
5. Observations of pregnant inmates by corrections staff are recorded in the CORNET Client Log.
6. Corrections staff immediately notify health care personnel if a pregnant inmate reports that she is experiencing cramping or bleeding.

9.23.6. Delivery

1. Corrections staff immediately call 911 for an ambulance when there are indications that a pregnant inmate may be experiencing labour.
2. To address the possibility of the baby's birth prior to ambulance arrival when health care staff are unavailable, correctional centres with female offenders ensure:
 - Basic written instructions for delivering a baby are available; and
 - A delivery kit is available and contains: Two receiving blankets, three towels, two regular blankets, string, and an ear syringe to clear the infant's nose and mouth.
3. After an ambulance has been called, corrections staff remain on the phone with 911 dispatch personnel until the ambulance arrives. The inmate is kept as comfortable as possible during this time.

4. If the Ministry of Children and Family Development or delegated Aboriginal agency has not been involved or is no longer involved, corrections staff contact the intended caregiver for the unborn child as soon as possible after the inmate reports experiencing labour. This contact helps to ensure that the caregiver attends the correct location to take custody of the baby.

9.23.7. Post-delivery role of child welfare worker and B.C. Corrections staff

1. When their post-delivery involvement is required, the Ministry of Children and Family Development or delegated Aboriginal agency is responsible for the placement of the baby. When a child welfare worker is not involved, corrections staff facilitate placement of the baby with the caregiver approved by the incarcerated mother according to the procedures that follow in paragraphs #2 to #4.
2. The case manager and health care personnel ensure that the incarcerated mother receives appropriate counselling and support immediately following the removal of the baby from her care.
3. Corrections and health care staff monitor the mother for signs of post-partum depression and any other significant changes in behaviour. They record their observations of the mother in the CORNET Client Log.
4. Health care personnel review the CORNET Client Log and arrange for the mother's treatment.

9.23.8. Correctional centre visits between incarcerated mother and baby

1. Before visits are permitted between the incarcerated mother and her newborn baby, a case conference is held involving the case manager, other corrections staff, and incarcerated mother. When the Ministry of Children and Family Development (MCFD) or delegated Aboriginal agency is involved in the case, the child welfare worker also attends the case conference. The purpose of the case conference is to establish an approved visitation plan for the mother and her newborn baby at the correctional centre. The frequency and length of visits are determined on a case-by-case basis and in a manner that does not conflict with maintenance of the safety, security and operation of the correctional centre.
2. Visits between the incarcerated mother and baby occur during regular visiting hours, or as approved by centre management. Standard visiting policy and procedures apply. Consideration is given to MCFD's *Children in Care Service Standard* 10: "Meeting a Child's Need for Stability and Continuity of Lifelong Relationships."
3. Visits between the incarcerated mother and baby are not permitted on living units or in areas where other inmates may be present.
4. Incarcerated mothers are permitted to breast feed their infant during visits, provided health care personnel have not identified related concerns.

5. Overnight visits at the correctional centre between the incarcerated mother and her baby are not permitted.
6. According to the approved visitation plan, the baby's guardian books visits between the incarcerated mother and her baby.
7. At least one case conference is held every month while the incarcerated mother continues to access visits with her baby. Significant concerns regarding visitation or any changes to visitation are shared among all parties.
8. The correctional centre may suspend or withdraw visitation at any time if the safety and security of the correctional centre, the incarcerated mother, or the baby are considered to be at risk.

9.24. Off-Site Medical Appointments/ Transfers to Hospital (revised: Dec-07)

1. Health care personnel schedule off-site medical appointments or transfers to hospital in PAC and provide correctional managers with a printed copy or email notice. Such appointments or transfers are not scheduled in CORNET.
2. Off-site medical appointments or transfers to hospital are cancelled or delayed only in exceptional circumstances on the authority of a correctional manager after consultation with the health care manager.
3. The correctional manager arranges for the reason for cancellation or delay to be recorded in the CORNET Client Log. Health care personnel record an appropriate notation in PAC.

10. Programs

10.1. *Inmate Reading and Viewing Material (revised: Jul-06)*

10.1.1. Definition

1. Reading material includes books, magazines, newspapers, newsletters, periodicals and other printed matter.
2. Viewing material includes pictures, posters, films, videotapes, computer software, television programs and other electronic/ digital media.

10.1.2. Authority

1. Everyone has the “freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication,” subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society, under section 2(b) of the *Canadian Charter of Rights and Freedoms* contained in the *Constitution Act*.
2. Inmates are permitted to receive books or periodicals sent directly from a recognized retailer.

10.1.3. Restrictions

1. Inmates, by virtue of having been placed in custody, are restricted in their freedom of access to reading and viewing material.
2. The warden ensures that reading and viewing material made available to inmates does not contain subject matter considered likely to encourage harmful or criminal behaviour.
3. The warden is guided in the selection of reading and viewing material to be made available to inmates by the criteria listed below.

10.1.4. Restricted content

1. Reading and viewing material available to inmates does not contain subject matter that has been declared obscene by the courts, or relates to:
 - Explicitly depicted or described sexual acts; and viewing or reading material entirely or primarily concerned with sex;
 - Bestiality;
 - Necrophilia;

- Sexual acts coupled with violence (e.g. rape, stabbing, burning, beating, gagging, binding, torture, dismemberment, mutilation or death);
- Sexual acts coupled with excretory functions;
- Sexual acts involving children (e.g. pederasty, pedophilia and incest);
- Non-sexual themes of explicitly depicted violence, and content of reading or viewing material entirely or primarily concerned with violence;
- Information pertaining to the construction of weapons and methods of escape that threaten security of the correctional centre; and
- Reading or viewing material that concentrates on nudity.

10.1.5. Films and videotapes

1. The Film Classification Division of the of the Ministry of Justice is responsible for the administration of the *Motion Picture Act*, British Columbia, under which films are examined and classified before they are shown to the public.
2. Films are classified as:
 - General, suitable for all individuals;
 - Parental guidance, may not be suitable for young children;
 - Under the age of 14 accompaniment—parents cautioned, may contain violence, coarse language and/ or sexually suggestive scenes;
 - Age 18 accompaniment—parents strongly cautioned, likely contains explicit violence, frequent coarse language, sexual activity and/ or horror; and
 - Restricted, content not suitable for minors, anyone over 18 may view, may contain scenes of explicit sex and/ or violence.
3. Comments are usually added to the classification (e.g. “coarse language,” “suggestive scenes”) to describe the film and may help to determine suitability.

10.1.6. Rental videos

1. Films and video recordings for use in correctional centres are obtained from reputable suppliers who have a business licence to sell, rent or lease films and/or video recordings for non-commercial use.
2. Films and video recordings shown in correctional centres are not reproduced.

10.1.7. Public viewing contract

1. Video recordings obtained from video outlets contain the warning that they are for “private home use only” and that reproduction is an infringement of the *Copyright Act*.
2. The use of rental videos in correctional centres is considered an infringement of the *Copyright Act*. To stay within the law, as prescribed by the act, the Corrections Branch has contractual arrangements with copyright holders.
3. Video rentals are recorded by title and a list submitted at the end of each month to Corrections Branch headquarters. A fee is charged for each viewing day, which provides the Branch with a public viewing licence consistent with requirements of the *Copyright Act*.

10.1.8. Use of satellite dishes

Some correctional centres receive channels by satellite instead of pay channels on cablevision. Programs on satellite channels (or taped reproductions of these programs) that are viewed by inmates must meet the criteria set out in section 10.1.4.

10.2. Inmate Work Program

10.2.1. Authority

Work programs are established under sections 23 and 24 of the *Correction Act* and section 38 of the *Correction Act Regulation*.

10.2.2. Principles

1. Institutional work program opportunities are provided for all sentenced inmates.
2. When resources permit and the inmate consents, an inmate awaiting trial or person in custody as the result of civil proceedings may participate in inmate work program activities.
3. The inmate working day is structured to approximate the working day in the community.

10.2.3. Work program classification

1. All inmates upon admission are assessed by health care for work program placement. Refer to chapter 9, Inmate Health Care Services.
2. For classification to work program activities, inmates may be classified to:
 - Full work;
 - Full but not rigorous work;
 - Active or light work; or
 - No activity.

10.3. Inmate Pay Scales (revised: Jul-06)

10.3.1. Secure classification

Inmates on remand or detainees (immigration holds) and individuals in secure custody may be paid on a sliding scale of \$1.50—\$3.50 per day for industrious work at an assigned task.

10.3.2. Open/ medium classification

Sentenced inmates classified to medium or open custody may be paid on a sliding scale of \$2—\$4.50 per day for industrious work at an assigned task.

10.3.3. Kitchen work—all centres

Inmates working in correctional centre kitchens are paid for industrious work on a sliding scale of \$2.00—\$6.50 per day. The rate of pay is dependent upon the inmate's level of training and experience and the degree of specialization of the work assignment.

10.3.4. Overtime and incentive pay

Inmates may be:

1. Paid for work beyond the normal working hours at straight time, pro-rated to their daily pay scale; or
2. Offered an incentive pay program, approved by the warden.

10.3.5. Limitations

Inmate pay scales include:

1. Regular pay.
2. Overtime.
3. Incentive pay must not exceed \$9.50 per inmate, per day.
4. Pay may be increased in increments of 50 cents, with a minimum of four weeks between increases.

10.4. Inmate Recreation

1. Inmate recreation programs are established on the authority of section 38 of the *Correction Act Regulation*.
2. Inmates are provided access to recreational activities, subject to limitations resulting from security classifications or the physical plant.
3. Each correctional centre designates the required resources to implement recreation activities for inmates.
4. Inmate participation in recreational activities is voluntary.

10.5. Inmate Voting

10.5.1. Authority

1. Under section 3 of the *Canadian Charter of Rights and Freedoms* contained in the *Constitution Act*, every Canadian citizen has the right to vote in federal and provincial elections, subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.
2. Every person who is imprisoned in a correctional institution serving a sentence of two years or more is not entitled to vote in an election, in accordance with part 1 section 4 (c) of the *Canada Elections Act*.
3. Voting by incarcerated electors is addressed in the *Canada Elections Act*, part 11, Special Voting Rules in Division 5, sections 244-262.
4. An individual who is imprisoned in a penal institution serving a sentence of two years or more is disqualified from voting at provincial elections, according to part 4, division 1, section 30 (b) of the B.C..

10.5.2. Eligibility to vote

Apart from restrictions set out in the *Canada Elections Act*, and the *Election Act*, British Columbia, the following inmates have the right to vote, provided they are Canadian citizens, of the required age, and meet other criteria in legislation:

1. Federal elections—remanded inmates, and inmates serving sentences of less than two years;
2. Provincial elections—remanded inmates and inmates serving sentences of less than two years; and
3. Municipal elections—remanded inmates and inmates serving sentences for non-indictable offences.

10.5.3. Provincial and municipal elections

1. When a provincial or municipal election is called, the warden contacts the local electoral officer to establish a process for registering eligible voters. In most cases, the inmate's usual residence is used to determine the area for registration.
2. It is the responsibility of the designated electoral officer to establish procedures to enable voting to take place. This may involve:
 - Proxy votes;
 - Mobile polls; or

- A poll established within the correctional centre.

10.5.4. Federal elections

1. Elections Canada has established a section for addressing voting by inmates.
2. The special voting rules administrator (incarcerated electors), located in Ottawa, oversees the process.
3. The province appoints a provincial liaison officer and each centre appoints a local liaison officer.
4. Liaison officers, under guidance from the special voting rules administrator and local returning officer, co-ordinate election activity in the centre. Voting is by special ballots that are couriered with the registration forms directly to Ottawa by the liaison officer.

10.5.5. Outside polls

Inmates are not escorted or released on temporary absence to register or vote.

10.6. Religious Programs and Practices

10.6.1. Authority

Authority to establish religious programs for inmates is found in section 38 of the *Correction Act Regulation*.

10.6.2. General

1. Chaplains provide pastoral and spiritual care for inmates, staff and their respective families.
2. It is not expected that an inmate receives preferential treatment on the basis of race, religion or ethnic background. It is expected that the Corrections Branch demonstrates respect for the personal spiritual values, beliefs and customs of inmates, subject only to precautions and restrictions necessary for the maintenance of safety and security.
3. Inmates may receive religious publications approved by the centre's chaplain.
4. Proselytizing on behalf of any religion or philosophy by any person or group of people is not permitted, except with the consent of the intended convert.
5. Attendance at a religious program is voluntary.

10.6.3. Diet

When an inmate has special requirements to observe dietary laws and practices established by their religion, the warden or designate, in consultation with the chaplain, makes reasonable attempts to accommodate the diet.

10.6.4. Headdress

1. A warden permits an inmate to wear a headdress particular to a race, creed or faith unless:
 - For a specific reason, the inmate is believed to be violent or suicidal and the headdress would endanger the inmate or others; or
 - Wearing the headdress jeopardizes the safety of the inmate. For example, an inmate entering a hazardous area or working with tools or motorized equipment may be required by Workers' Compensation Board Regulations to wear a hard hat.
2. The warden may permit an inmate an alternative head covering when a headdress is not allowed.
3. A headdress, when not in use, is stored with the personal effects of the inmate for safekeeping. Correctional staff must be careful to handle such belongings with respect and allow the inmate to place the headdress in the personal effects container.

10.6.5. Ceremonial items

To prevent possible injury to others, a ceremonial item that is a potentially harmful instrument is prohibited.

10.6.6. Religious objects

1. The warden or designate, in consultation and upon the advice of the senior regional chaplain, may approve the possession or wearing of specified religious medals, symbols or articles.
2. The warden or designate, in consultation and upon the advice of the senior regional chaplain, may permit the introduction and use of religious objects for ceremonial purposes. It must be clearly established that such objects do not threaten security or safety of the correctional centre.
3. Accepted objects used in such ceremonies include:
 - Sweetgrass;
 - Sage (similar to incense);
 - Ceremonial pipes (only used by recognized pipe carriers);
 - Ceremonial blankets;
 - Eagle feathers;
 - Seashells; and
 - Medicine bag that contains herbs (remains sealed at all times).

10.7. Marriage of Individuals in Custody in Provincial Correctional Centres

10.7.1. Permission to marry

1. The warden may grant permission for individuals(s) in custody in provincial correctional centres to marry.
2. Permission to marry is only considered for individuals unable to obtain a temporary absence and/ or parole.

10.7.2. Marriage in the community

Wherever possible, marriages are conducted in the community.

10.7.3. Reasons for marriage

Permission to marry may be granted when the warden is satisfied that:

1. The couple has given responsible consideration to entering into the marriage;
2. Evidence can be produced that marriage is critical to maintaining an existing relationship; or
3. If one or both parties are under the age of majority, there is a signed consent of parent form.

10.7.4. Reasons for denial

Permission to marry is denied when, in the opinion of the warden:

1. Waiting for release to the community would not cause undue strain;
2. Marriage is being considered to establish immigration status, or to avoid deportation, or it affects the outcome of a hearing before an immigration board, court or tribunal.

10.7.5. Responsibility of warden

The warden ensures that an adequate assessment of the application for marriage is carried out. This includes reviewing recommendations from the chaplain.

10.7.6. Role of chaplain

The chaplain ensures that both parties have given responsible consideration to marriage and have adequate marriage preparation.

10.7.7. Arrangements for marriage

The chaplain ensures that necessary arrangements are made for the marriage ceremony. The wishes of the bride and groom are respected as much as it is practicable.

10.8. Inmate Smoking (deleted on January 21, 2008)

10.9. Inmate Televisions

1. Inmate televisions and associated cablevision or satellite services are provided through the Inmate Benefit Fund (IBF).
2. The warden or designate determines the style, size and placement of televisions within a cell or other location within a correctional centre.

10.9.1. Television security

Televisions are installed with security seals to confirm that the units are secure.

10.9.2. Television use

1. The warden or designate determines inmate access to television and develops schedules for inmate viewing. Viewing schedules reflect operational requirements.
2. Inmate television viewing does not interfere with established work or program attendance.
3. The warden or designate establishes policy respecting:
 - Inmate access to televisions;
 - Abuse of television privileges;
 - Suspension and revocation of television privileges;
 - Television access to inmates under disciplinary sanctions;
 - Inmates sick and idle;
 - Inmates subject to special placement or classification;
 - Television privileges in multiple occupancy cells; and
 - Inmates damaging or tampering with televisions.

10.9.3. Damaged televisions

1. Damaged televisions are repaired or replaced through the IBF.
2. Inmates damaging televisions or abusing television privileges may be subject to discipline under *Correction Act Regulation*.

10.9.4. Personal televisions

Inmates are not permitted to possess personal televisions.

10.10. *Legal Library*

1. Correctional centres establish and maintain a basic legal library, or access to an electronic legal resource database.
2. Inmates detained at pretrial and regional centres conducting their own defence/ appeal are granted reasonable access to a centre's legal library or legal resource database.
3. Correctional centres housing sentenced inmates develop procedures to help inmates obtain reasonable access to legal library resources.

10.11. *Access to Courts and Legal Counsel*

1. Inmates are permitted access to the courts for any reasonable purpose.
2. Inmates are permitted to consult in private with their legal counsel during reasonable hours.
3. In addition, refer to section 1.11.3.

10.12. Forest Firefighting

10.12.1. Purpose

In accordance with an agreement between the B.C. Corrections Branch and the B.C. Forest Service, the procedures outlined in this section apply when inmates are employed as forest firefighters.

10.12.2. Inmates on temporary absence

Inmates on temporary absence who are employed as firefighters by the B.C. Forest Service are paid the same as other forest firefighters.

10.12.3. Staff-supervised fire crews

1. An officer of the B.C. Corrections Branch supervising a crew of inmates is responsible for the security, safety and conduct of the crew. Firefighting is the responsibility of the B.C. Forest Service.
2. Inmates are paid according to established inmate wage scales.
3. The Corrections Branch officer wages are paid according to the BCGEU *Master Agreement* and Component Agreements.
4. Staff wages are recovered by the B.C. Corrections Branch from the B.C. Forests Service by a journal voucher. The voucher is prepared by the correctional centre and submitted to the District Forester, Attention: I/ C Protection, as soon as possible after the fire. Names, dates, times and significant information are clearly indicated.
5. Additional costs incurred by the centre as the result of an officer supervising a fire crew can be recovered from the B.C. Forest Service. Staff meal costs, travel costs and other items outlined in the BCGEU *Master Agreement* and Component Agreements can be journal vouchered.

10.13. Food Service (revised: Aug-05)

10.13.1. Inmates kitchen workers

1. Inmates assigned to food service work are trained in sanitation procedures.
2. B.C. *Public Health Act* and regulations apply.

10.13.2. Food safety and security

1. The warden ensures that supervision is provided for inmates assigned to food service work.
2. The warden ensures that the food services contractor has procedures to prevent tampering or contamination of meals prepared, served and delivered to inmates and other individuals.
3. Food service operations are subject to B.C. *Public Health Act* and regulations, workplace safety and fire services legislation and regulations.

10.13.3. Inmate diet selection

1. Inmates declare upon admission whether they need a regular, vegetarian or vegan diet.
2. Inmates may not change their diet selection once they have made the initial declaration, unless the change is determined by the centre's physician. Inmates may avoid food items that they dislike or cause them food intolerance.
3. Health care staff advise centre staff when the centre's physician has determined that a life-threatening allergy or therapeutic reason requires a special diet. Only a physician may alter the need for a medically determined special diet.

10.13.4. Therapeutic and ethnic diets

1. Through the food services contractor, the Corrections Branch provides for therapeutic diets prescribed for an inmate by the centre's physician.
2. Ethnic diets respecting religious or cultural traditions are available to inmates. These diets are approved by the warden or designate, and a notation of approval is made on file.
3. An established diet is maintained when an inmate transfers to another centre unless a change in the inmate's circumstances indicates a need for reassessment.

10.13.5. Meal service

1. Inmates are provided meals in accordance with the approved Corrections Branch Menu and Canada Food Guide.
2. The preparation and delivery of food services comply with the B.C. *Public Health Act* and regulations.

10.13.6. Corrections Branch raised livestock, poultry and food items

1. Food that is produced within the Corrections Branch for consumption is of good quality and delivered in edible condition.
2. Food products, including livestock and poultry raised for consumption, are processed to the legislative and regulatory requirements of agriculture and health.

10.13.7. Discipline

Food is not used as a reward or for disciplinary purposes.

10.14. Inmate Benefit Fund

10.14.1. Purpose

The inmate benefit fund provides for expenditures not normally financed by public funds. They can be used for both the collective and individual benefit and welfare of all incarcerated individuals in adult custody centres.

10.14.2. Definitions

For reference throughout this policy:

- *Warden* means the senior officer responsible for the centre establishing the benefit fund; and
- *Canteen* means a service, operated by the Corrections Branch or provided by contract, that sells approved products to inmates.

10.14.3. Establishment of benefit fund

A benefit fund is established and maintained at a centre for the stated purpose in subsection 10.14.1:

1. Known and described as the particular centre's benefit fund;
2. Organized and operated in accordance with this policy; and
3. Under the trusteeship of the warden who is responsible for adhering to this policy.

10.14.4. Inmate participation

The warden ensures inmate participation in the operation of the benefit fund:

1. Through an inmate advisory committee; or
2. An alternate form of participation clearly identified and communicated to inmates.

10.14.5. Expenditure authorization

The warden:

1. Establishes a benefit fund records file;
2. Exercises spending authority for the benefit fund;
3. Ensures that records of spending recommendations from inmate representatives and spending authorization are retained in the inmate benefit fund records file; and

4. Ensures that the benefit fund remains solvent.

10.14.6. Sources of income

Income is derived from:

1. Operation of a canteen;
2. Sale of hobby and craft items;
3. Commissions from telephones and vending machines;
4. Interest earned on bank accounts maintained for the inmate trust fund and the benefit fund;
5. Donations received from inmate work programs and the community;
6. Proceeds of sale of abandoned inmate effects; and
7. Organized income—producing activities, other than programs approved for inclusion in the inmate work program.

10.14.7. Approved expenditure categories

The warden approves expenditures from the benefit fund. Expenditures are limited to:

1. Purchase of hobby and craft goods for resale;
2. Entry fees and prizes for sports, bingo and other recreational tournament participation;
3. Rental or purchase of goods and services for inmate initiated activities (i.e. movie rentals, video equipment, lectures and seminars);
4. Emergency assistance for inmates, determined by the warden to be destitute;
5. Special equipment, purchased for the benefit of the inmates;
6. Replacement, repair or maintenance of special equipment, originally purchased by the benefit fund;
7. Replacement or repair of fixtures and equipment, originally purchased by the benefit fund or by the centre, damaged intentionally by inmates; and
8. Other expenditures for the collective or individual benefit of inmates, in keeping with the purpose of the benefit fund.

10.14.8. Records

The warden ensures that:

1. A separate bank account is established and maintained for the benefit fund;
2. Receipts of cash are deposited to the account, intact;

3. Disbursements from the account are made by cheque or draft (including replenishment of cash floats to make routine small purchases);
4. Signatures authorizing disbursements accord with the signing authorities matrix;
5. Accounting records for the benefit fund are maintained separately from other accounts or funds; and
6. Accounting and reporting conforms to procedures set out in sub-section 10.14.16.

10.14.9. Damage/ destruction

The warden requests restitution from the inmate(s) responsible for damage before authorizing repair or replacement, as provided for in subsection 10.14.7(7).

10.14.10. Canteen inventory shortages

Shortages in Corrections Branch operated canteen inventory are investigated and approved by the warden. They are charged or credited to canteen operations.

10.14.11. Loss of assets

Losses are managed, reported and replenished in accordance with financial administration operating policy.

10.14.12. Asset ownership

Ownership of assets purchased, as provided for in subsections 10.14.7(5) and (6), is vested in the warden, acting as trustee for the benefit fund.

10.14.13. Asset control

The warden or designate ensures that:

1. There is adequate custody and control of assets; and
2. A list of assets, held within the benefit fund, is maintained on a timely basis.

10.14.14. Asset disposal

Proceeds from the disposal of assets referred to in subsection 10.14.12 are deposited to the credit of the benefit fund.

10.14.15. Closure of centre

The provincial director determines the reallocation of cash and non-cash assets of a benefit fund upon closure of a centre.

10.14.16. Financial statement preparation

A monthly financial statement is prepared for the benefit fund. At a minimum, it includes a:

1. Statement of receipt and disbursements, for the month and year-to-date; and
2. Balance sheet.

10.14.17. Reporting requirements

The warden or designate:

1. Reviews and approves the monthly bank reconciliation and financial statement, certified by the business manager, on a timely basis;
2. Distributes a copy of the financial statement to the inmate advisory committee, referred to in sub-section 10.14.16, on a quarterly basis, at a minimum; and
3. In the absence of an inmate advisory committee, posts a financial statement copy in a conspicuous place accessible by inmates.

10.15. Community Advisory Board (revised: Nov-08)

10.15.1. General

1. A community advisory board (CAB) is a formal means of providing local public awareness and community involvement within correctional centres of the Corrections Branch.
2. A CAB is established and maintained, in consultation with the management of the correctional centre, by independent volunteer members of the community who maintain accountability to their local community.
3. CAB interaction with the management of a correctional centre is consultative, but board members can also be actively involved in institutional programs. This includes helping staff and inmates to resolve important issues in the centre.

10.15.2. Role of the community advisory board

1. Provide an impartial, non-correctional, community perspective for centre management and inmates.
2. Convey expectations of the community about the centre to the centre's management.
3. Consult with centre management concerning offender case management and community reintegration.
4. Observe and understand the operation of the centre.
5. Undertake an educational role in the community about correctional programs and operations.
6. Facilitate the exchange of information, other than personal information, when necessary among centre staff, inmates and the community.
7. Participate in centre programs.

10.15.3. Membership

1. A CAB is comprised of members from the local community and the correctional centre. Members are appointed by the warden and selected on the basis of:
 - Personal interest;
 - Experience in a field relevant to centre operations; or
 - Representation from a significant organization or section of the community.
2. A CAB maintains at least six individuals who serve a one-year term at minimum.
3. Terms of membership are extended beyond five years at the discretion of the board.

4. The board selects a chair and vice-chair annually for one-year terms.
5. CAB members must sign a confidentiality agreement prior to assuming their duties as members of the board.

10.15.4. Security and identification

1. CAB members at the centre are supplied with identification, which indicates their membership on the board.
2. Prior to appointment, individuals considered for CAB membership are subject to security clearances. These include successfully passing a criminal record check and CORNET and JUSTIN record searches.

10.15.5. Privacy

1. The activities of the CAB are subject to the provisions of B.C.'s *Freedom of Information and Protection of Privacy Act* (FOIPPA) and the signed confidentiality agreement.
2. All records established and/or maintained by the board are under the custody and control of the Corrections Branch.
3. CAB members may remove records or information from the correctional centre that is not confidential or security-related (e.g. meeting minutes) subject to the CAB correctional manager vetting the requested records or information to ensure compliance with FOIPPA.
4. CAB members do not have access to or remove any personal information regarding inmates from the centre.

10.15.6. Meetings and quorum

1. A CAB meets six times per year, at minimum.
2. A meeting quorum consists of one-half of the total number of CAB members plus one, and includes a correctional centre member.
3. Minutes from each constituted meeting are recorded and maintained at the correctional centre.

10.15.7. Standing agenda

1. The chair sets the agenda with input from CAB members and centre management.
2. All material and clerical assistance is provided by the centre.
3. Board meetings address:
 - Policy and program issues raised by the CAB or management of the centre; and
 - Reports from members on their participation in centre-related activities.

10.15.8. Activities

1. Participation of CAB members in centre activities must be arranged with the deputy warden, programs.
2. With centre management approval, CAB members are encouraged to participate in the following:
 - Meals at the centre;
 - Program-related activities;
 - Inmate meetings;
 - Living units and work programs;
 - Remission award panels;
 - Parole hearings (as observers) with Parole Board of Canada approval; and
 - Disciplinary hearings (as observers).
3. CAB members may be asked to participate in critical incident reviews.

11. Staffing

11.1. Cross-Gender Staffing in Correctional Centres (revised: Mar-09)

1. The Corrections Branch provides employment opportunities for staff in correctional centres, regardless of gender, to the maximum extent possible.
2. There is cross-gender staffing in all correctional centres. However, there is no cross-gender staffing in change areas or living units where dignity and privacy cannot be provided. Nor is there cross-gender staffing in any post where the rotational requirements prohibit such staffing.
3. Observation of inmates is an integral part of the normal duties of a correctional officer. All inmates (partially or completely clothed) are subject to some involuntary viewing by correctional officers. Observation of inmates by staff of the opposite gender must be kept to a minimum and are only permitted in the following circumstances:
 - Emergency situations; and
 - Senior administrative review of incidents.
4. Frisk searches of male inmates are routinely conducted by staff of the opposite gender.
5. Post-incident video observation is conducted in a manner to protect the privacy and dignity of inmates.

11.1.1. Rationale for exemption

1. The Corrections Branch recognizes the need to respect the personal dignity of inmates. Invasion of inmate privacy is defined as direct staff supervision or physical contact with inmates of the opposite gender who are unclothed or substantially undressed.
2. The principal defining factor among female inmates is that a large percentage of this population, as children and as adults, endured physical and emotional abuse. The lasting negative effects of childhood abuse are a factor in adult life.
3. The majority of incarcerated men also suffered abuse as children or adolescents. While this abuse has normally ceased by adulthood, the emotional impact remains.
4. Many incarcerated women tend to have been marginalized and to have suffered abuse while in the community. They are, therefore, likely to be easily controlled and overpowered by men.

5. Incarcerated women need to be protected from situations that could lead to continued victimization and abuse.

11.1.2. Exemptions

1. The following duties are performed by correctional officers of the same gender as the inmate:
 - Supervision of change areas, when the inmate is required on admission to strip, shower and undergo a thorough search;
 - Direct supervision of toilet and shower areas when correctional officers work in full view of showering inmates; and
 - Skin searches—performed by the same gender, except in emergencies.
2. Frisk searches of female inmates must be conducted by female correctional officers except in absolute emergencies.
3. Direct observation of partially or completely unclothed female inmates by male correctional officers only occurs in emergency situations. Correctional centres must be staffed to avoid such situations to the greatest degree possible.
4. Living units in facilities designated for women are staffed only by women. Except in emergency situations when female staff may be paired with male staff, only women may staff living units that are designated for women in institutions where there are male and female inmates.

11.1.3. Facilitating cross-gender staffing

To facilitate cross-gender staffing, wardens provide adequate toilet facilities for female and male correctional officers, including officers supervising work crews and groups of inmates away from the main correctional centre.

11.2. Uniformed Staff—Dress Regulations and Staff Department (revised: Sep-12)

11.2.1. Introduction

1. Corrections personnel are professionals within the justice system who are required to contribute a high standard of expertise and skill in the performance of their duties.
2. The Corrections Branch expects employees to present themselves in appearance and through performance, in a manner that reflects this expertise and skill.
3. Dress regulations contained within this section are issued for both male and female and uniformed and non-uniformed staff. They are designed to cover general as well as specific apparel issued to individual officers.

11.2.2. General

1. Officers wear full seasonal dress (current issue) while on duty both on and off the institutional property unless otherwise instructed by the warden. The issue, including loan articles, are approved by the joint Union/Management Clothing Committee.
2. Officers who attend court or coroner's inquests during the performance of their duties appear in either the regular issue uniform or civilian clothing.
3. When off duty, no part of the issue uniform is worn, except for travel to and from the work location.
4. Officers required to return to the institution in an emergency report in uniform, unless otherwise instructed.
5. Officers who choose to wear civilian clothes to work and change to uniform may do so but must change into uniform prior to the commencement of their shift. Under no circumstances may an officer combine civilian and uniform issue clothing.
6. Officers keep their uniforms neat, clean and in good repair.
7. Officers may not alter the original style of their uniforms unless approved in advance by the warden.
8. The wearing of personal accessories such as jewellery is not allowed if it could create a safety hazard for the staff or inmates.

11.2.3. Hair style

1. Hair should be kept neat and groomed, and must be styled so it does not create a hazard in the performance of duties.
2. Centres will develop local policy to address the requirements of specific posts.

11.2.4. Beards and moustaches

1. Beards and moustaches may be worn if they are clean and well groomed.
2. Staff whose duties require a breathing apparatus remain clean-shaven when the mask or respirator seals the face, in compliance with *Occupational Health and Safety Regulation* of the Workers' Compensation Board.

11.2.5. Seasonal wear

For the purposes of this policy, seasonal wear is defined by local policy.

11.2.6. Caps

1. The cap is worn level on an officer's head.
2. No foreign material, such as coloured paper or cloth, is allowed behind the cap badge.
3. Wires or stiffeners are not removed or bent.
4. The cap badge is worn in the centre of cap as indicated by the seam on the cap. The bottom edge of the badge is just below the inside of the top edge of the cap strap, as indicated by the shape of the bottom edge of the badge.
5. The cap strap and peak must be kept tight and clean.

11.2.7. Ties

1. Officers wear clip-on issue ties only.
2. Ties are worn snug with the top button of the shirt fastened.
3. When in uniform, other than summer issue, officers are required to wear their ties when:
 - Dealing with the public at their regular workstation (e.g. reception, visits);
 - In public; and
 - Attending special events, including training programs.

11.2.8. Shirts

Shirts:

1. Are issue only;
2. Are worn tucked in, except in the case of maternity wear;
3. Pockets and cuffs are buttoned;
4. When no tie is worn, the top button may be unfastened; and

5. When staff choose to wear a visible undershirt with their uniform shirt, it must be navy blue or black in colour, have a low profile collar, and the sleeve length must not exceed that of the uniform shirt.

11.2.9. Patrol jackets

1. Patrol jackets are worn at times and in areas specified by the warden.
2. Officers are cautioned not to load the pockets of patrol jackets, blouses or shirts with articles that detract from their appearance or cause health and safety hazards.

11.2.10. Footwear

1. Employees who provide a medical certificate indicating the need for specialized orthopedic footwear or who require sizes that cannot be accommodated with current issue are allowed to purchase their own footwear. The maximum amount equal to the footwear issue cost is allowed, as per article 12 of the Correctional and Sheriffs Component Agreement (BCGEU).
2. This footwear is the same colour and similar to the style of the standard issue.
3. Issue footwear is:
 - Kept clean;
 - In good repair; and
 - Neatly laced and tied.

11.2.11. Socks

Socks are as issued.

11.2.12. Belt

Belt is as issued.

11.2.13. Frisking gloves

1. Correctional centre staff are issued frisking gloves for conducting area searches and frisking inmates.
2. Frisking gloves are worn only while carrying out frisking or searching duties. When not in use, frisking gloves are carried on the duty belt.
- 3.
4. Correctional staff are responsible for maintaining the cleanliness of their frisking gloves.

5. Correctional staff are aware of infection control measures detailed in section 8.1, Infection Control and Prevention.

11.2.14. Parka

Neat and in good condition.

11.2.15. Trench coat

Neat and in good condition.

11.2.16. Insignia

1. Only approved rank insignia are worn in the manner directed by the assistant deputy minister.
2. Insignia are shown according to rank as follows:



Assistant Deputy Minister



Provincial Director



Deputy Provincial Director



Warden



Deputy Warden



Assistant Deputy Warden



Correctional Supervisor



Instructor



Correctional Officer 2nd
Chevron



Correctional Officer



Security Officer

11.2.17. Second correctional officer chevron

1. The second correctional officer chevron is issued after five years of service as a correctional officer and completion of a designated portion of the correctional officer learning development model.
2. Correctional centres establish protocol to present the insignia to qualified recipients.

11.2.18. Name tags

1. Uniformed staff are issued a name tag.
2. The name tag is worn in a clearly visible manner and is not altered in any way.
3. On shirts and blouses, the name tag is centred and sewn with the bottom of the name tag resting on the top seam of the right breast pocket.
4. On jackets and vests, the name tag is centred and affixed with the bottom of the name tag resting on the top seam of the right breast pocket.

11.2.19. Tie pins

Although not part of the uniform issue, staff who wish to wear a tie pin may only wear:

1. British Columbia coat-of-arms.
2. Canadian flag.
3. Canadian ensign.
4. Bravery award.

11.2.20. Years of service pin

Officers may wear the most recently earned years of service pin centred beneath the name tag of the right breast pocket of the uniform shirt.

11.2.21. Union insignia

Officers may wear the British Columbia Government and Service Employees' Union (BCGEU) insignia beneath the name tag of the right breast pocket of the uniform shirt.

11.2.22. Medals and ribbons

Officers who have received medals (e.g. exemplary service or military service) may wear the undress ribbons centred above the left breast pocket of the uniform shirt. Refer to the following link for protocol related to ribbons approved for display:

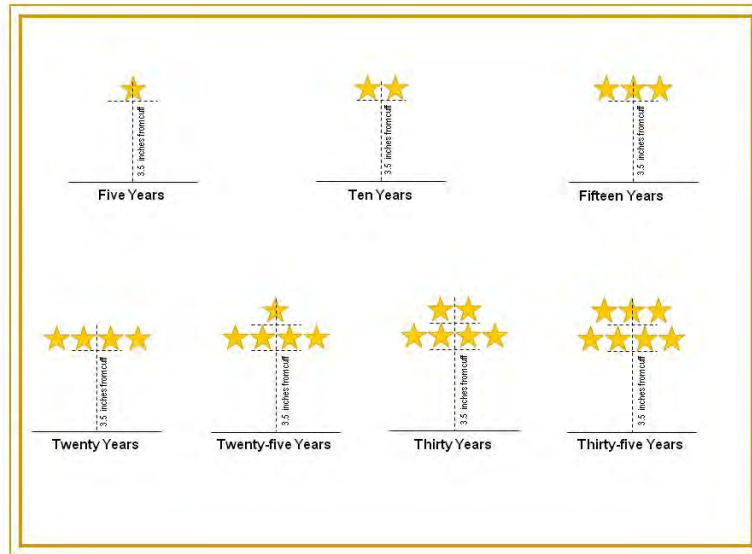
http://www.gg.ca/honours/pdf/wearing_e.pdf.

11.2.23. Dress uniform

1. A dress uniform is issued to all uniformed staff, chaplains, and headquarters staff.
2. Dress uniform items include:
 - Tunic shell;
 - Dress slacks;
 - Forage cap and cap badge;
 - Dress shirt;
 - Tie;
 - Socks;
 - Approved tie clip (optional);

- Lanyard;
 - White gloves;
 - Tunic buttons;
 - Collar dogs;
 - Shoulder flashes;
 - Rank insignia;
 - Service stars; and
 - Name tags (brass).
3. Chaplains are provided a white or ecclesiastical shirt and collar.
 4. The lanyard and white gloves are for ceremonial occasions (e.g. marriages/funerals, honour guards and parade wear).
 5. Use of personal black dress shoes with the dress uniform requires prior approval from the warden.
 6. Officers may wear specialized service pins earned for completing duties with the emergency response team, provincial honour guard, and canine unit.
 7. Shoulder flashes, collar dogs, rank insignia, buttons, name tags, medals/ ribbons, specialized service pins, and service stars are affixed to the dress uniform tunic in a manner designated by the Corrections Branch (refer to photos below). Chaplain insignia reflect the chaplain's faith.
 - *Shoulder flashes*: Centred on each sleeve 1" below shoulder seam (see photo);
 - *Collar dogs*: 1.5" above lapel pleat;
 - *Medals and ribbons*: Ribbons centred at the top of the left breast pocket; medals on breast pocket centred between bottom of medals and bottom of pocket. Refer to the following link for protocol related to medals and ribbons approved for display:
http://www.gg.ca/honours/pdf/wearing_e.pdf;
 - *Specialized service pins*: The first issued pin is mounted in the centre of the right breast pocket crease. Additional pins are placed directly below the first pin;
 - *Rank Insignia* – Excluded staff: Affixed to the epaulette (see photo);

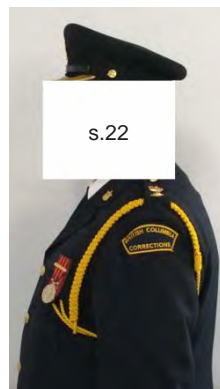
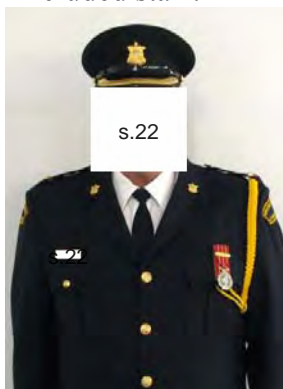
- *Rank Insignia* – Included staff: Centred 7” from the shoulder seam to the inside point of the upper chevron (see photo);
- *Service stars* – One star represents five years of Corrections Branch service. Stars are mounted with the bottom star 3.5” up from cuff on the left sleeve. Refer to the attached diagram for placement:



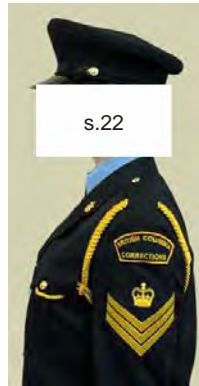
Tunic service stars are gold colour for all staff members;

- *Lanyards*: On left side of the uniform;
- *Name tags*: centered at the top of the right breast pocket (see photo);

Excluded staff:



Included staff:



8. Authorized events include:

- Marriage and funeral of an active or retired officer;
- Remembrance services;
- Corrections Branch awards ceremonies;
- Approved honour guard events;
- Court appearances associated with Corrections Branch duties;
- Events approved by the warden; and
- Events approved by the provincial director.

9. The uniform is not defaced or altered, other than for sizing.

10. Excluded staff members may wear the dress tunic, without white gloves, lanyard with undress ribbons at any time for work-related functions.

11.3. Dress Uniform Protocol (revised: Feb-10)

Dress uniform protocols are established by the provincial director, Adult Custody Division.

11.3.1. Dress tunic

1. Included staff members may wear the dress tunic for authorized events approved by the warden, including public presentations and court duties.
2. Medals and lanyards may be worn at formal parades and functions such as Remembrance Day, Peace Officer's Memorial Day, weddings, funerals and other functions approved by wardens or the provincial director. Undress ribbons are worn on other occasions.
3. An issued tie is always worn with the dress uniform. Shoes are low black shoes or a parade type boot with black socks.

11.3.2. Forage cap

1. The forage cap is worn whenever staff wear the dress tunic.
2. The forage cap is removed when:
 - In a church or during prayer. Refer to Figure 1 for proper position when on parade;

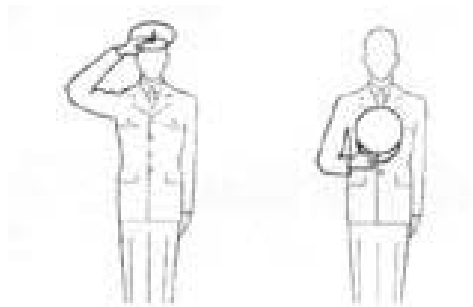


Figure 1

- Upon entering a dining area, mess or lounge; and
 - While in a vehicle or when working indoors.
3. When setting down the forage cap, place it in an upright position (not upside down). If carrying the cap, place it under the left arm, brim forward with the opening to the body and held in place with the upper arm and elbow.
 4. The forage cap is not worn tilted back on the head, or too far forward. The brim of the hat is even with top of the eyebrows.

11.3.3. The salute

1. The salute is given with the right hand and is done while on parade (a general salute or a march past), during the raising or lowering of the national flag, after laying a wreath or when receiving or paying compliments to dignitaries, such as the prime minister, lieutenant-governor, governor general or royalty.
2. When on parade during a general salute, only the senior officer or officer leading the formation salutes.
3. During the raising or lowering of the national flag, stop and face the flag in the position of attention (refer to Figure 2) and salute until the flag is completely raised or lowered. In a group, only the senior person salutes; the remainder stand in the position of attention (refer to Figure 3). The same rules apply during the national anthem except the salute is held from the first note until the last note is sounded. The salute is performed by:
 - Heels of feet touching, with toes angled out at approximately 30 degrees.
 - Left arm straight with hand by the leg and thumb in line with seam of the trousers.
 - Right hand, with fingers straight and thumb in line with the hand is placed so that tips of the fingers are by the right eyebrow, not touching. The upper arm is parallel with the ground and the forearm is approximately at a 45-degree angle. The hand is in line with the forearm, with the palm facing the ground.

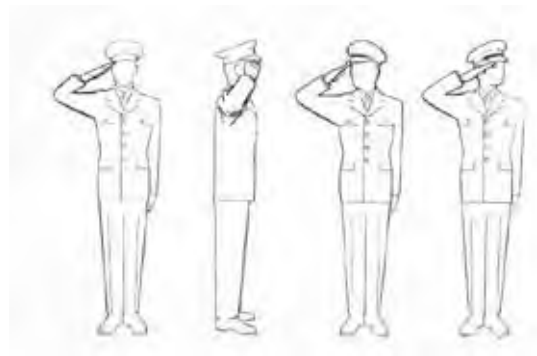


Figure 2

(Salute to the front, left and right)

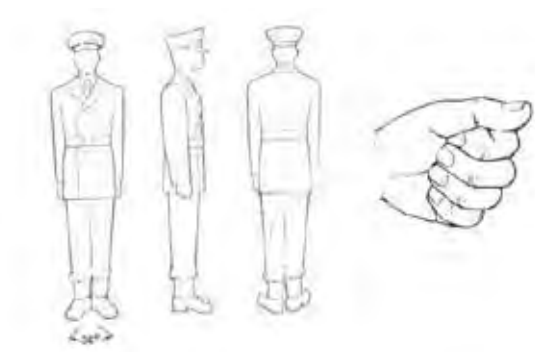


Figure 3

(Position of attention)

4. When offering a salute to a dignitary, hold the salute for about three seconds or until the salute is acknowledged. Salutes are not given indoors in public buildings except on parades or ceremonial occasions.
5. When laying a wreath, place it into position, take one step back and salute for a count of seven. Make a right turn and march off to the designated position.
6. When a colour party bearing the nation's colours marches by, individuals and formed groups pay compliments to the colours. The individual or group stops and faces the colours, stands in the position of attention and salutes. The salute is held until the colours have marched past. The salute is given by the senior person.

11.3.4. Saluting at memorial services and funerals

1. Compliments to the dead are paid during the sounding of the "Last Post" when it is used in memorial services and funerals.
2. Compliments commence on the first note and terminate on the last note.
3. Compliments are paid by:
 - All personnel who are not part of a formed group salute; and
 - Formed groups are brought to attention and senior officers (excluded managers) salute. If none is present, the most senior member salutes for the group.
4. At the end of a funeral service and once the chaplain has paid his last respects at the foot of the grave, personnel proceed to the foot of the grave in order of rank and pay respects by saluting.
5. When numbers warrant, members may approach in small informal groups.

11.3.5. Uniform etiquette

The following are basic rules while in formal uniform:

1. Do not chew gum or smoke in public.
2. Keep hands out of pockets.
3. No cursing or spitting in public.
4. No mixing of civilian and issue clothing.
5. No sunglasses while on parade.
6. Appropriate jewellery is worn while in uniform or on parade. Studs, small diamond earrings or small hoops are acceptable; nose or brow rings are not. Rings should be worn on one finger only.
7. Make-up should not be overdone. Bright lipstick or heavy eye shadow is not appropriate.
8. Long hair is kept up or just off the shoulder.

11.4. Badge Issue (revised: Sep-08)

11.4.1. Staff identification cards

Corrections Branch issued photo identification is the primary form of identification for Corrections Branch staff. Refer to section 8.6 of the [Management Services Policy Manual](#).

11.4.2. Corrections Branch issued badge—Adult Custody Division

1. A Corrections Branch issued badge supports the picture identification of Corrections Branch—Adult Custody Division staff.
2. Badges may be issued to, and carried by, Corrections Branch—Adult Custody Division staff carrying out responsibilities under the [Correction Act](#).

11.4.3. Badge style and proprietary

1. The Corrections Branch is solely responsible for the style of the issued badge.
2. The badge is the exclusive property of the Corrections Branch.

11.4.4. Temporary issue

The Corrections Branch badge is issued to Corrections Branch—Adult Custody Division staff on a temporary basis. It is immediately surrendered to the issuing authority upon:

- Demand of the warden or designate; and
- Termination of employment through dismissal, resignation or retirement.

11.4.5. Inventory and distribution

1. Corrections Branch—Adult Custody Division correctional centres are supplied with badges and badge holders.
2. Corrections Branch—Adult Custody Division headquarters maintains a master list of badge numbers and an inventory of badges issued to each correctional centre.

11.4.6. Issuing badges

1. The warden or designate assigns a numbered Corrections Branch badge to staff.
2. Correctional centres maintain an inventory of assigned badges, cross-referenced by staff name and badge number.
3. Staff sign an acknowledgement for receipt of an issued badge.

4. Correctional centre records of badge numbers assigned to staff are forwarded to Adult Custody Division headquarters annually.

11.4.7. Lost or stolen badges

1. Lost, stolen or missing badges are immediately reported to the warden or designate.
2. The warden or designate reports missing badges to the local police and ensures the loss is entered on the CPIC system.
3. The warden or designate informs the Adult Custody Division headquarters of lost, missing or stolen badges.
4. The warden or designate may issue a staff member a badge to replace one that is reported lost, stolen or missing. Correctional centre badge inventories are adjusted accordingly.

11.4.8. Damaged badges

1. Damaged badges are surrendered to the warden or designate. The warden or designate authorizes the repair of damaged badges or removes them from the inventory.
2. A badge that is damaged beyond repair is removed from the inventory and the warden or designate issues the staff a replacement badge. The correctional centre badge inventory is adjusted.
3. Damaged badges are returned to Adult Custody Division headquarters and disposed of in a manner approved by the provincial director.

11.4.9. Misuse

1. The badge is used for identification only when correctional staff exercise their duties under the *Correction Act*.
2. Corrections Branch staff are reminded of their obligations under the *Standards of Conduct for Corrections Branch Employees* regarding use of a badge.
3. Misuse of the badge may result in disciplinary action up to and including dismissal.
4. Correctional staff or persons misusing badges are subject to offences pursuant to sections 130 (b) and 354 (1)(a) of the *Criminal Code*.

11.4.10. Retirement badges

1. A specially-configured badge is issued to qualified Adult Custody Division staff upon retirement or to family in the event of the death of a staff member.
2. Correctional centres develop a procedure for formal presentation of the retirement badge.
3. Correctional centres maintain an inventory of retirement badges, cross-referenced with the staff name and badge number.

11.5. Pregnant Correctional Officers

Under review.

11.6. Lateral Transfers/ Demotions

Under review.

11.7. Honour Guard (revised: Feb-12)

11.7.1. Purpose and composition of the provincial honour guard

1. The Adult Custody Division maintains a provincial honour guard to reinforce the professional status of divisional staff and increase the positive public image of correctional officers.
2. The provincial director appoints the provincial honour guard, which represents the diversity of the division and includes staff from all ranks and correctional centres to form a well-trained professional marching unit.
3. The number of honour guard selected from each centre is in direct proportion to the number of staff at each centre.

11.7.2. Attendance at events

1. The provincial honour guard represents the division at official activities, officer retirement functions, funerals, memorials and other ceremonies when approved or directed by the provincial director
2. The annual pre-approved event for the provincial honour guard is the Provincial Police and Peace Officer Memorial ceremony, which is held on the last Sunday in September.
3. Requests for the provincial honour guard to attend correctional centre services or activities are forwarded by the warden to the provincial director for approval.
4. Requests for the provincial honour guard to attend community parades and other events must be directed to the provincial director for approval.

11.7.3. Selection process for provincial honour guard members

1. The selection process for the unit begins in January of each year. This ensures that all members are confirmed by the end of the fiscal year (March).
2. All candidates may volunteer or be nominated by centre staff or managers.
3. Provincial honour guard candidates are selected on the basis of their ability, experience, and suitability.
4. Wardens review and approve each member who will represent their centre.

11.7.4. Selection process for the correctional supervisor

1. All candidates for the provincial honour guard correctional supervisor position submit an expression of interest to their warden.

2. The selection of the correctional supervisor is made by the Custody Directors Management Committee from nominees presented by each warden.

11.7.5. Uniform

1. Members adhere to dress uniform protocol when representing the provincial honour guard. Refer to section 11.3.
2. Members receive compensation for the cost of dry cleaning tunics when cleaning is required.
3. Wardens approve the purchase of a black leather ankle boot for members of the provincial honour guard only. These ankle boots are only worn for provincial honour guard purposes.

11.7.6. Command and control

1. The provincial director commands the provincial honour guard.
2. The provincial director designates two wardens to manage the provincial honour guard.
3. The guard commander and trainer for the provincial honour guard is the correctional supervisor who is selected by Custody Directors Management Committee (CDMC).
4. The assistant deputy warden(s) is selected by CDMC to provide logistical support and supervision of the guard commander (correctional supervisor).

11.7.7. Drill instruction

1. The formalized manual of instruction and commands used for the provincial honour guard drill is circulated to members in all centres by the correctional supervisor.
2. Formal training is based on the *Canadian Forces Manual of Drill and Ceremonial*.

11.7.8. Funding

Correctional officers who attend provincial honour guard training, approved parades, activities, and memorials are on travel status. The cost centre for each member pays for costs associated with travel and backfill.

11.8. Recruitment Incentive for Employees (revised: Jun-09)

11.8.1. Purpose of program

1. The Adult Custody Division provides a monetary recruitment incentive of up to \$1000 to any Corrections Branch employee who refers an individual for employment as a security/correctional officer with the branch.
2. For the employee to receive the monetary incentive, the employment candidate must be hired into a security/correctional officer position on a full-time, part-time or auxiliary basis. Refer to subsection 11.8.5 for the payout schedule and mechanism.

11.8.2. Employment candidates who may be referred

1. The following individuals may be referred as employment candidates through the program:
 - All non-government employees;
 - All active provincial government employees;
 - Former Adult Custody Division employees; and
 - Retired persons.
2. There is no limit to the number of individuals who may be referred by a Corrections Branch employee.

11.8.3. Qualified employees and restrictions

1. All Corrections Branch employees qualify for the recruitment bonus, with the following exceptions:
 - Correctional centre recruitment officers who refer persons they encounter while performing their regular duties; and
 - Corrections Branch employees who resign, transfer or otherwise leave the branch prior to the candidate meeting the criteria for employment and scheduled timeline for payout as outlined in subsection 11.8.5.
2. Other restrictions include the following:
 - Corrections Branch employees who are cited on an employment application as a referrer may not sit on a hiring panel for that candidate; and

- A referrer may not be involved in assessing the candidate's probationary performance.

11.8.4. Support material

Information on how to make a referral and what the employment candidate needs to do is available from the recruitment officer at each correctional centre.

11.8.5. Payout timeline and mechanism

1. Payout for a referral is made in accordance with the candidate's completion of the following schedule:

<u>Timeline</u> *	<u>Payout</u>
1. Acceptance of an offer of employment	\$50
2. Thirty-day training period successfully completed	\$200
3. Six calendar months of employment successfully completed	\$750

* Payout at each stage is dependent upon the candidate's suitability, which is based on satisfactory employment performance and development plan (EPDP) evaluations.

2. Each correctional centre determines an appropriate payment mechanism in consultation with the referrer.

11.8.6. Dispute resolution

1. The Corrections Branch employee who made the referral is identified on the lifestyle questionnaire form completed by the applicant during the recruitment process.
2. The award is shared equitably when two or more persons are identified as referrers.
3. In the event of a dispute, the warden from the centre where the dispute originated and the deputy provincial director of operations make a final determination following a review.

11.8.7. Lifespan of program

1. The recruitment incentive program was instituted on December 14, 2007, and is in effect when needed.
2. Corrections Branch employees are notified 60 days prior to the suspension of the program.

12. Offender Management Systems

12.1. CORNET (revised: Feb-08)

12.1.1. Introduction

1. CORNET is the Corrections Branch electronic platform for document management, case management and quality management. It is a branch-wide information and communications tool that integrates community and custody case management data and brings document and case management to the desktop of every Corrections Branch user.
2. CORNET is designed to facilitate and enhance all elements of records entry and case management. It streamlines data entry procedures and improves data integrity through an electronic interface with JUSTIN.
3. The CORNET file is the primary location of all data relating to an inmate's involvement with the Corrections Branch.
4. CORNET is a windows-based system where users can navigate by moving between screens, pages, blocks and fields.
5. CORNET has the capacity to attach word processed or scanned documents within the Client Log.
6. This chapter describes the following areas of CORNET:
 - Access;
 - Confidentiality;
 - System security, data integrity and safeguards;
 - Security matrix;
 - Reporting system errors and enhancements; and
 - Seal/unseal youth records.
7. For detailed direction on CORNET procedures, refer to the [*CORNET Users Guide*](#).

12.1.2. Access

Access to CORNET is provided to trained Corrections Branch employees and approved contracted staff who have been granted an individual user account. The following procedures apply:

- Users log on the system with their own user ID prior to entering or viewing data;
- CORNET tracks and maintains a footprint of user access to files; and
- Corrections Branch employees are only authorized to access Corrections Branch inmate files in CORNET when carrying out records entry, case management and administrative functions relating to the subject of the file.

12.1.3. Confidentiality

1. Corrections Branch employees are responsible to protect the privacy of clients and former clients of the branch by using the information collected only for intended and authorized purposes.
2. Users may not share, reproduce, redistribute, re-transmit, publish, transfer or exploit any information obtained from CORNET except as authorized under the *Youth Criminal Justice Act*, Youth Justice Act (B.C.), the *Freedom of Information and Protection of Privacy Act* (B.C.) and other relevant legislation and policy.
3. Employees who are in doubt as to whether certain information is confidential must ask the appropriate authority before disclosing it.
4. Caution and discretion in handling confidential information extends to disclosure made inside and outside of government and continues to apply after employment ceases.

12.1.4. System security, data integrity and safeguards

1. As a condition of use of CORNET, the user agrees not to:
 - Permit any person to use his/her username;
 - Divulge, share or compromise his/her password;
 - Use any other person's username;
 - Use the system for activities different from those for which access was granted;
 - Make unauthorized copies of data; and
 - Take any action that might be reasonably construed as injurious or detrimental to the interests of any other user or to the system.

2. CORNET is an Internet-based system that contains two databases:

- Training; and
- Production.

Note: When training on CORNET, users must use the training database. Users must not use the production database when practicing on CORNET. Access to the production database will be limited to screens as designated by the user's job classification within the security matrix.

3. The System Services Unit has care and control of all data within CORNET and has the authority to edit or delete erroneous, malicious or damaging data as required to ensure the integrity and functionality of the system.
4. The System Services Unit routinely monitors the quality and integrity of data flowing into the CORNET database. When the System Services Unit is aware of recurring data entry errors from one user or correctional centre, the System Services Unit reports the problem to the assistant deputy warden, SMU, or deputy warden. The assistant deputy warden, SMU, or deputy warden ensures informal training is provided to prevent the problem from recurring.
5. In the event that data entry errors recur following informal training, the System Services Unit will contact the assistant deputy warden of SMU or deputy warden to recommend the suspension or cancellation of an individual's user access.
6. When a person who has access to CORNET is criminally charged, it may be necessary to withhold personal information from the person's Client Log if the information might put at risk a victim, third party or criminal proceeding. Correctional staff, in consultation with centre management, are authorized to maintain this personal information on the paper file. In these cases, the information can later be entered on the electronic file when it is determined that it no longer presents a potential risk.
7. Information in CORNET is subject to disclosure in accordance with the *Freedom of Information and Protection of Privacy Act*. Safety and security of the correctional centre, staff and inmates are considered before entering information that is likely to jeopardize the centre's management, operation or security.

12.1.5. Security matrix

1. CORNET contains menu tabs. Access to the information contained within each menu tab is restricted to users as defined by Adult Custody Division headquarters and designated in the Adult Custody security matrix.
2. The security matrix controls access to all menus within CORNET on three levels, depending on the user's work function and level of training:
 - User not granted access;

- User granted read-only access; and
 - User granted read and write access.
3. Access to menu tabs within CORNET is determined by user work groups identified in the security matrix. Users are granted access to specific menu tabs once they have received required training.
 4. The System Services Unit is the agency authorized to set up and modify user access within established work groups. CORNET user's access/modifications are completed in the following manner:
 - All CORNET access requests for new employees and approved contracted staff are submitted on the Account Access form according to the security matrix.
 - All requests to modify existing CORNET access according to the security matrix are subject to the approval of the assistant deputy warden, SMU or deputy warden.
 - All requests for user access changes within established work groups must be submitted by email to _____ Note: The authority confirms on the request that the appropriate level of training has been completed and includes the training attendance record and name of CORNET instructor.
 - A request for CORNET access, which is outside of the security matrix, is submitted to the Adult Custody program analyst by the assistant deputy warden, SMU, or deputy warden.
 - Within CORNET, each user is assigned a default location, which is usually the user's primary work location. While the records of each location are independent, some correctional centres are responsible for maintaining records for more than one location. When users need to access inmate records for multiple locations, they must change locations within CORNET to obtain this access.

12.1.6. Reporting of system errors, data integrity issues and enhancements

1. System errors are reported by phone during regular business hours in a timely manner to the System Services Unit by the assistant deputy warden of SMU, or deputy warden.
2. When a delay in reporting a system error outside of regular business hours could adversely impact CORNET or the operation of the centre, the records or shift supervisor report the error by email to the System Services Unit at _____
3. Incidents, when data integrity is—or might be—compromised, are reported immediately by email to the System Services Unit at _____ by the assistant deputy warden, SMU, deputy warden or records supervisor.

4. Recommendations for system enhancements are reported by email to the System Services Unit at _____ by the assistant deputy warden, SMU, or deputy warden.

12.1.7. Seal/ unseal youth records

1. All information in the CORNET database relating to an offence committed by a person under the age of 18 or who was found guilty of an offence under the *Youth Criminal Justice Act* (YCJA) is a youth record.
2. When a record in the CORNET database meets access time limits established in section 119(2), YCJA, it is sealed. A system search performed by a user, other than authorized System Services Unit personnel, does not return sealed data.
3. Systems Services Unit personnel have authority to make available a sealed record if directed by the court. They also have authority to reactivate records when a young person has offended in other jurisdictions and access limitation periods set out in section 119(2), YCJA have not been met. If a record exists in CPIC that falls within the YCJA access periods, assistant deputy wardens, SMU, inform the Systems Services Unit.
4. A youth record includes all information collected on a young person during administration of a youth sentence. The period of access to a youth record ends as follows:
 - Extra-judicial sanctions (EJS) = two years following consent to participate in EJS;
 - Acquittal = two months after 30-day appeal period or three months following failed appeal;
 - Dismissal, withdrawal or finding of guilt with reprimand = two months following the outcome;
 - Stay = at the end of one year, if no proceedings for one year following the stay;
 - Absolute discharge = one year following finding of guilt;
 - Conditional discharge = three years following finding of guilt;
 - Summary conviction = three years after completion of youth sentence; and
 - Indictable = five years after completion of youth sentence.
5. For summary and indictable conviction offences only: When there is a subsequent guilty finding for a summary or indictable offence during the required “clean period,” an additional three or five year “clean period” is required after the end of the subsequent offence before the record can no longer be disclosed.

6. The following records are not subject to seal provisions:

- Records regarding youth who have received an adult sentence as a result of the application of section 110(2)(a), YCJA, after the appeal period has passed or once the sentence is upheld on appeal (section 117, YCJA);
- Records regarding youth who have received a youth sentence for a presumptive offence* (section 110(2)(b) YCJA) and the court has not ordered a publication ban (section 75, YCJA);
- Youth records regarding adults who have been convicted of an adult offence, before the clean period for indictable and summary offences on their youth record has been satisfied (section 119(9), YCJA) are treated as adult records;
- Presumptive offences for offenders 14 or older when charged are:
 - First degree murder;
 - Second degree murder;
 - Manslaughter;
 - Attempted murder;
 - Aggravated sexual assault; and
 - Judicially determined serious violent offences for which an adult could get more than two years in jail when Crown counsel files notice to seek an adult sentence.

12.1.8. Procedures during system outage

1. In the event of CORNET outage, users manually manage and record all functions normally performed on CORNET.
2. When CORNET is restored, users enter all information that was manually maintained during the outage.
3. Any information entered as the result of an outage must be backdated to the appropriate date and time to ensure accuracy of records.

12.2. Electronic Forms (revised: Jul-08)

12.2.1. Purpose

1. Electronic forms (eForms) provide a forms management application that addresses the needs of the Corrections Branch.
2. eForms allow users to create and manage:
 - Electronic online forms;
 - Workflow;
 - Authorizations;
 - Reports;
 - Data collection; and
 - Analysis.

12.2.2. Worklist Application

1. The Worklist Application home page permits users to:
 - Manage incoming tasks for eForms;
 - Identify eForms assigned to them or their user group; and
 - Access the eForm task details page to enter data and submit completed forms to the next level.
2. The Worklist Application home page is reviewed at least once per shift by all staff members.

12.2.3. Designation of user level

1. Creator:
 - The person assigned to initiate the primary eForm and/or the supplementary eForm is the creator of the form.
 - A creator can belong to any staffing level.
2. Reviewer:
 - The reviewer is a correctional supervisor.

3. Approver:

- The approver is a manager.
- The reviewer and approver cannot be the same person.

12.2.4. Reporting of system errors, data integrity issues and enhancements

1. The user reports system errors by phone to the System Services Unit at _____ This is done in a timely manner during regular business hours.
2. When data integrity is, or might be, compromised, the user immediately reports incidents by email to the System Services Unit at _____ or by phone.

12.2.5. Procedures during system outage

1. In the event that ICON is unavailable, users manually record all incidents on the paper version of the form.
2. When ICON is restored, users enter all information that was manually maintained during the outage.
3. Any information entered as the result of an outage must be backdated to the appropriate date and time to ensure accuracy of records.